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New York

President: Mr. Essy . . . . . (Côte d'Ivoire)

In the absence of the President, Mr. Blandino Canto (Dominican Republic), Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

Agenda item 112 ***(continued)***

Scale of assessments for the apportionment of the expenses of the United Nations

The President *(interpretation from Spanish):* In a letter contained in document A/49/400/Add.4 the Secretary-General informs me that, since the issuance of his communications dated 20 and 26 September and 5 and 14 October 1994, the Comoros has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 39 ***(continued)***

The situation in Bosnia and Herzegovina: draft resolution (A/49/L.14/Rev.1)

Mr. Eltinay (Sudan) *(interpretation from Arabic):* The so-called new international order has spawned an assault that targeted the cultural diversity of many States under the name of defending human rights. In the wake of the cold war, as the international arena became empty of ideological conflicts, certain countries, which have monopolized world leadership filled that vacuum with discriminatory policies which they pursued through the application of double standards and a marked reluctance to take the side of right and justice in areas where some would clamour that human rights are being violated.

It has been the misfortune of the Bosnian Muslim people that some have chosen to consider its existence through those double standards and through the absence of justice. As if this was not enough, the very existence of that people in a certain geographic context added to its demerit in the eyes of those parties and, thereby, added to its misery. Thus the Bosnian people fell victim to cultural intolerance and became fair game to all kinds of oppression and inhuman crimes such as "ethnic cleansing", mass killing, rape and siege. At the same time, it fell victim to the collusion and silence of those who considered its continued existence an obstacle in the way of their grand design.

People of good conscience who belong to the region that applies those double standards have testified to the collusion they have witnessed in the perpetration of those crimes by describing the limited and hesitant intervention of the United Nations in Bosnia as too little too late qualifying it as an action that rewards the aggressor in the name of neutrality, while such neutrality has never been the norm in any area where the conflicting parties belonged to a different culture.

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Although the resolutions adopted by the Security Council in condemning the Serbs and establishing "safe areas" and exclusion zones have been numerous indeed, such resolutions have lacked the necessary ingredient, namely the political will of the major Powers and have fallen victim to the policy of double standards when it came to enforcing them. Even the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia has come up against the hurdle of financial difficulties. The recommendations of international mediation have tended to reward the aggressor with the territories acquired through the use of force, regardless of the fact that this runs counter to the principles of the United Nations Charter, the norms of international law and the resolutions of the United Nations.

Regardless of the courageous decision by the Bosnian Government to accept the Contact Group's plan of 30 July 1994, the Serb aggressors have defied even their closest friends and rejected the plan because of their awareness of the impotence or collusion that makes them immune to the imposition of any such plan upon them. Even those who have threatened to punish the Serb aggressors have been persuaded by their allies to turn a blind eye to the situation and to abandon any plans they might have had to deter the aggressor by military means.

The credibility of the United Nations, and the Security Council in particular, has been laid bare by the Bosnian question. Security Council resolution 943 (1994) by providing for a partial lifting of sanctions against Serbia and Montenegro has exposed the true intentions of those whose voices are loudest in opposition whenever it is suggested that the arms embargo against Bosnia might be lifted, regardless of the fact that imposing such an embargo on Bosnia contravenes Article 51 of the Charter and the right to self-defence enshrined in that Article. The pretext of those who oppose the lifting of that embargo has continued to be the contention that the lifting would lead to escalating of the conflict, closing the door to any peaceful settlement in addition to threatening the lives of the international peace-keeping personnel.

The war in Bosnia is not a civil war in the full sense of the word. There is an external party that helps the aggressor. Serbia and Montenegro, an arms-producing State, has been providing an unending flow of weapons and logistical support to the Serbs. The deployment of 100 United Nations observers on the borders of Bosnia and Herzegovina with Serbia and Montenegro does not, in any way, guarantee the stemming of that flow of arms to the Serbs across the borders. Therefore, lifting the arms embargo against Bosnia would give an impetus to the peace process by restoring some of the balance between the aggressor and the victim, as highlighted by the recent developments in Bosnia which demonstrate that the Bosnian people is quite capable of repulsing aggression. In order for the Bosnian people to repel the aggressor, there must be an end to the collusion that enables the Serbs to carry out their designs which aim at exterminating the Bosnians and at physically removing their State from the map of Europe, even though it is a State Member of the United Nations whose sovereignty and territorial integrity must be respected.

The international community represented in the General Assembly should clearly and strongly condemn the crimes of the Bosnian Serbs — their mass murders, "ethnic cleansing", attacks against the "safe areas" and exclusion zones established by the United Nations, including Sarajevo, Banja Luka, Bijelina and other areas, as well as attacks on United Nations personnel. The international community should also stress its commitment to stand by the behests of international legality and not to side with the aggressor against the victim.

While we appreciate the significant efforts of the United Nations Protection Force and are anxious to ensure the safety of its personnel, we believe that it should be strengthened and empowered with the necessary competence in order for it to become a deterrent force that would repel aggression rather than continuing to be saddled with the neutral posture imposed on it by the Security Council. UNPROFOR should make greater efforts to protect the "safe areas" and exclusion zones designated by Security Council resolutions, as protection of those areas and enforcement of those zones lie within the mandate of the Force, with full consideration for the right of the Bosnian people to repel aggression and to free its territories from the occupiers. The Bosnian people has in fact demonstrated its ability to do just that, with a great deal of courage.

We call upon the Security Council to exercise its competence under Article 24 of the Charter. In so doing, the Council should not be influenced by the strategies of some of its members and should aim at achieving a just and lasting solution to the problem that does reward the aggressor. This the Council should do through the implementation of the principle of non-admissibility of the annexation of territories by force and the principle of

the right of refugees to return to their homes. We must make it clear that failure to enforce the Security Council's resolution, including that relating to the opening of Tuzla airport, would pose a definite threat to the lives of the population which are already threatened by lack of medicine and food as a result of the Serb siege and their prevention of distribution of humanitarian assistance to Sarajevo, Tuzla and other "safe areas" designated by the Security Council.

The application of paragraph 6 of Security Council resolution 713 (1991) to Bosnia has no basis in legality. Such action puts the victim and the aggressor on the same footing and thereby deprives a United Nations Member State of the means of exercising its legitimate right to self-defence, a fundamental right enshrined in the Charter. We therefore call on the Security Council once again to lift the arms embargo imposed against Bosnia and Herzegovina. We also pay tribute to Bosnia's positive response that should eliminate the obstacles in the way of lifting that embargo.

We fully understand the circumstances under which Bosnia is trying to deal with the situation in a manner that would put an end to the suffering of its people who have fallen victim to very complex regional and international cross-currents. We call upon the Security Council to heed the urgent humanitarian needs and suffering of the Bosnian people and to respond by speedily lifting the embargo in order for Bosnia to defend its sovereignty and territorial integrity. We also call on the international community to live up to its commitment under Article 51 of Chapter VIII of the Charter by enabling Bosnia to defend itself. This is a collective responsibility imposed by the Charter, to which all peoples of the planet subscribe. The ploys of certain groups should not prevent us from standing by what is just and right.

Proceeding from this, our delegation is a sponsor of draft resolution A/49/L.14/Rev.1, which we hope will be adopted unanimously by the General Assembly.

Mr. Lamamra (Algeria) *(interpretation from French)*: The situation in Bosnia and Herzegovina is rightly of concern to the international community. It shakes our fundamental values and sorely tests our declared ability to promote peace with justice and respect for the fundamental principles of the United Nations Charter. For over two years, one State Member of our Organization has seen its territorial integrity and its very existence threatened, while its people — in particular the Muslim component of that people — has been relentlessly exposed to armed aggression, "ethnic cleansing" and every sort of deprivation.

The determination of the international community, expressed in professions of faith, statements of intent and even demands, has rarely been translated into action in sufficient time, or on an adequate scale, to discourage and defeat outbursts of aggression, even though the United Nations Protection Force (UNPROFOR) has sought, commendably, to carry out its difficult mission, within the limits of its resources and its mandate, suffering insults and injuries which undermine the authority of the Security Council.

The painstaking search for a negotiated political solution, which has mobilized the energy of so many people of good will, has always encountered intransigence from the leaders of the irredentist Serb minority, which seeks to impose a dangerous logic of exclusion and *fait accompli*. When the Republic of Bosnia and Herzegovina accepted the peace plan of 6 July 1994, not without sacrifice, it saw its hopes dashed by those gambling on the international community's appeasement, or even the abandonment of its effort, in the face of their claims.

The Permanent Representative of the Republic of Bosnia and Herzegovina made clear to our Assembly this morning the harsh reality of the situation in his country. He showed beyond all doubt how the maintenance of the status quo is neither possible nor acceptable, at three levels: humanitarian, military and political. He also resoundingly expressed the determination of his people to defend their sovereignty and territorial integrity, a determination equalled only by their legitimate expectation that the international community will fully assume its responsibilities. In particular, he defined the context in which lifting the arms embargo is a necessary factor in finding a just and lasting solution to the crisis which his country is suffering, whereas extending the applicability of Security Council resolution 713 (1991) to the Republic of Bosnia and Herzegovina has the unjustified effect of stripping that State of its natural right to self-defence.

With the situation in Bosnia and Herzegovina marked by a rise in tension and an upsurge in armed violence, and with the siege of Sarajevo and other cities being tightened, this debate comes at just the right moment to awaken our consciences and alert us all to our responsibilities.

Algeria, motivated entirely by a concern for the restoration of peace, security and stability in Bosnia and Herzegovina and the region as a whole, naturally supports the resistance of the Bosnian people and its Government, to which my country has always shown its brotherly concern. It was just as natural for my delegation to become a sponsor of the draft resolution, in which the General Assembly will send a message of hope to the victims and a message of resolve to those doggedly seeking to keep peace at bay.

Mr. Türk (Slovenia): The General Assembly is discussing the tragic situation in the Republic of Bosnia and Herzegovina, while the war in that country is threatening to continue into its third winter. Words spoken at diplomatic conferences can no longer convincingly address the tragedy, and humanitarian efforts continue without the hope that peace can be established soon.

The international community and its institutions, including the United Nations, have so far been unable to address the conflict in Bosnia and Herzegovina effectively or to stop the war. One of the reasons for this is the lack of will to characterize the conflict as what it actually is. Only a realistic assessment of the situation can give the necessary basis for defining adequate remedies. The war in Bosnia and Herzegovina is not a religious or ethnic conflict, nor is it a civil war. The war in Bosnia and Herzegovina began as a war of aggression against a United Nations Member State and has since remained a war for territorial expansion.

That this is the nature of the war is clearly manifested in one of its most heinous characteristics: the practice of "ethnic cleansing", which has reached genocidal proportions against the Muslims of Bosnia and Herzegovina. "Ethnic cleansing" was devised as a tool for territorial conquest, aimed at the eventual creation of "greater Serbia". "Ethnic cleansing" is not an accidental consequence, but, rather, a premeditated instrument, of the war. While it is true that the war has become increasingly complex and that atrocities have been committed by all sides, its original characteristic, as a war of aggression against the Republic of Bosnia and Herzegovina, remains essential.

A comprehensive assessment of the situation in Bosnia and Herzegovina should also take into account other lessons learned so far. One is that diplomacy without determination or readiness to use force is fruitless when confronted with forces of aggression. The international diplomatic action concerning Bosnia and Herzegovina has, unfortunately, lacked this determination. The peace efforts have been not only unsuccessful, but, on some occasions, even ridiculed. This, after more than two years of unsuccessful engagement, has contributed to the fact that the image of the United Nations remains negatively affected and its credibility is eroded.

It is true that without the involvement of the forces of the United Nations Protection Force (UNPROFOR), the Office of the United Nations High Commissioner for Refugees (UNHCR) and numerous other humanitarian organizations the tragedy of Bosnia would have been even worse. The ongoing efforts to guarantee delivery of humanitarian aid deserve our deep appreciation and active support. However, humanitarian assistance cannot be a substitute for effective policies. Further efforts are needed for an effective cessation of hostilities and for the creation of political conditions for peace.

The United Nations has launched a number of activities which could contribute to a comprehensive peace — if the basic political and other conditions for peace were created. In this context, we wish to emphasize the importance of the work of the Special Rapporteur of the Commission on Human Rights, Mr. Tadeusz Mazowiecki, and that of the Commission of Experts established pursuant to Security Council resolution 780 (1992). No substantial progress towards durable peace can be achieved without addressing thoroughly the issue of human rights. The perpetrators of gross human rights violations must be punished and appropriate measures have to be taken to secure the protection of human rights in the future. For this reason Slovenia welcomed the creation of the international war crimes Tribunal and notes with appreciation that, according to the report of the Tribunal (A/49/342), the first indictments are expected to be ready for presentation before the end of this year.

It is our view that an efficient and effective international war crimes Tribunal could contribute substantially to the just settlement of the conflict. However, the goal of a final comprehensive political solution to the crisis in Bosnia and Herzegovina will remain distant as long as the international community remains unable to devise the effective policies needed to restore peace and security as well as the territorial integrity and political independence of the Republic of Bosnia and Herzegovina.

Let me now return to the question of the essential conditions for a cessation of hostilities and for the

establishment of peace in Bosnia and Herzegovina. The Washington Agreements concluded several months ago and the resulting cooperation between the Bosnian Muslims and Croats restored hope that appropriate international assistance could meaningfully influence the political aspects of the armed conflict. Such political influence is essential in the efforts to change the military reality on the ground and to open a path towards solutions. We therefore have some reason to hope that efforts of the Contact Group will contribute to ending the armed conflict and to establishing conditions for a political solution with at least the basic elements of justice. The most essential elements of a just and durable solution are the preservation of the sovereignty and territorial integrity of Bosnia and Herzegovina, the establishment of a safe environment for the voluntary return of refugees, and the restoration of land and other property seized through "ethnic cleansing" and the use of force. It should be stressed again that without a thorough reversal of the consequences of "ethnic cleansing" and the use of force it is not likely that peace arrangements will endure. Furthermore, failure to achieve such a reversal could send a very clear message to other potential aggressors that their acts of aggression might not only go unpunished but perhaps even be rewarded.

The question before the General Assembly today concerns the immediate steps to be taken with a view to strengthening the possibilities for peace. What measures should the General Assembly recommend to the Contact Group and to the Security Council?

Over the past two years we have witnessed numerous attempts to bring an end to the armed conflict in Bosnia and Herzegovina. The latest proposal introduced by the Contact Group is one of these attempts; it has the potential to become the point of reference for a peace settlement. However, there is still no sign from the Bosnian Serbs that they are ready to submit to the concerted pressure of the entire international community. This calls for further measures by the United Nations, which should be taken in accordance with the provisions of the United Nations Charter.

In that connection, Slovenia supports the draft resolution before the General Assembly concerning the situation in Bosnia and Herzegovina, including its provisions regarding the inapplicability of the arms embargo. It is important to recognize that the embargo was imposed on the former Yugoslavia back in 1991 when it still existed and that the embargo was extended to the successor States in a specific situation in 1992. Since then, almost everything has changed. A decision that would take into account the new realities and different situations of each of the successor States is long overdue.

There are of course many reasons for keeping the arms embargo as a part of the sanctions imposed under Security Council resolution 757 (1992) until the conditions for lifting those sanctions are met. On the other hand, there is a need to recognize the inapplicability of the arms embargo to those engaged in self-defence, that is in the exercise of an inherent right of all United Nations Member States under Article 51 of the Charter.

Finally, in the case of Slovenia, there is no justification for the continuing applicability of the arms embargo with respect to my country, which is not involved in any armed conflict that prompted imposition of that arms embargo years ago against the former Yugoslavia, a State which has since then ceased to exist.

It is in that context that we view the formulation of the eighth preambular paragraph and of operative paragraph 22 of draft resolution A/49/L.14/Rev.1, concerning the inapplicability of the arms embargo imposed by Security Council resolution 713 (1991), and it is in that light that we support the relevant paragraphs of the draft resolution submitted to the General Assembly for action today.

The responsibility of the General Assembly to recommend realistic and effective policies on matters concerning international peace and security is among the most important responsibilities of this United Nations organ. The draft resolution before us represents an effort to act in accordance with that responsibility, and we hope that it will be adopted by an overwhelming majority.

Mrs. Albright (United States of America): The current situation in the Republic of Bosnia and Herzegovina engages deeply the interests of my country and bears directly on the purposes and credibility of the United Nations.

My Government is pleased to endorse the draft resolution before the Assembly today. We join in thanking the courageous personnel of the United Nations Protection Force (UNPROFOR) and the Office of the United Nations High Commissioner for Refugees (UNHCR) who are in Bosnia. We, too, demand that all parties refrain from attacks on them and that all cooperate in allowing them to perform their vital humanitarian and peace-keeping missions. We reiterate

our condemnation of the massive violations of international humanitarian law that have occurred, and are occurring, in Bosnia.

We reaffirm also our support for the work of the war crimes Tribunal for the former Yugoslavia. Culpability for the outrages committed in that region rests not with the Serbs or Croats or Muslims as peoples: it rests with the people — the individuals — who ordered and committed those crimes. The scars of this war will heal much faster if the perception of collective guilt for atrocities is erased and individual responsibility is assigned.

But the healing process in Bosnia will not begin in earnest until the war ends. My Government believes that strong new measures are required to settle the war. Accordingly, we urge members of the Assembly to support, and make known that support, the Bosnian Government's request that the Security Council lift the arms embargo against Bosnia now, with implementation in six months if the Bosnian Serbs do not agree to a settlement by that time.

If this conflict is to end, the Bosnian Serbs must choose to end it. Although they are not the only party to the conflict to which blame may fairly be attached, they are the only party prolonging the war. Last July, the Contact Group proposed a territorial arrangement that was more than fair to the Bosnian Serbs, and made it clear that if one party rejected those arrangements and the others accepted, that party would face grave consequences. Today, the Bosnian Serbs are the lone holdout against peace. They alone have said "no" to ending this barbarous war. Unfortunately, the consequences for them of their rejection have not been sufficiently grave.

Clearly, the mix of incentives and disincentives now in place is not sufficient. Economic sanctions have not been tight enough; enforcement of safe havens and exclusion zones has not been robust enough; and diplomatic pressures have not been united or consistent enough to bring the Bosnian Serbs to a new level of insight.

We must do more now to make them understand that settlement is their best, indeed their only, option. We need to build on the progress made in persuading the Federal Republic of Yugoslavia to cooperate in isolating the Bosnian Serbs; we should encourage a steady strengthening of the federation between the Bosnian Government and the Croats; we should provide for a more rapid and forceful response to violations of safe havens and exclusion zones; we must tighten enforcement of sanctions; and we should lift the arms embargo against Bosnia.

My Government recognizes that lifting the arms embargo, even in six months, has risks. But inaction has greater risks. The status quo allows the Bosnian Serbs essentially to dictate the outcome of a conflict that they began and then pursued ruthlessly and in violation of international humanitarian law. Inaction means that United Nations forces in Bosnia will remain vulnerable and constrained in their operations. Inaction means that with each passing day the credibility of the Contact Group's effort to settle this war erodes and begins to slip away. Inaction means that the Bosnian people, Serb, Croat and Muslim, will continue to suffer and to live in fear, and that the number of orphans and displaced will continue to grow. Inaction pushes further into the future the process of recovery, reconstruction and reconciliation. And inaction denies the Bosnian Government, for no cause of law or justice, its inherent right of self-defence.

Bosnia has done nothing that would warrant the imposition of international sanctions. It has not invaded its neighbours or committed other major transgressions. It is said that children sometimes inherit the sins of their parents; in this case, Bosnia simply inherited the sanctions imposed against its predecessor State.

One premise for maintaining the arms embargo against Bosnia has always been that lifting it would harm Bosnia's own interests by precipitating pre-emptive violence against Bosnian citizens. That premise had validity only as long as one could argue that keeping the embargo would lead to an acceptable territorial settlement and an end to hostilities. Bosnian Serb intransigence has robbed that argument of its force.

The second premise for the embargo has been the fear that if the embargo is lifted the Bosnian Serbs will retaliate against United Nations personnel. My Government does not question the basis for that fear, but we cannot allow the Bosnian Serbs to hold this world Organization hostage; nor can we allow them to blackmail us into depriving the Bosnian Government of its rights. Bosnia is a sovereign State and a Member of the United Nations. It is independent, it respects international law, it respects its own people, and it should not need anyone's permission to arm and defend itself.

Fifty-eight years ago, the head of a beleaguered, invaded, sovereign State appeared before the Assembly

of this Organization's predecessor, the League of Nations. Like President Izetbegović today, Emperor Haile Selassie did not ask for international intervention; he asked simply for the right to defend his country. He said,

> "The Ethiopian Government never expected other Governments to shed their soldiers' blood... Ethiopian warriors asked only for means to defend themselves." (*Records of the Sixteenth Ordinary Session of the Assembly of the League of Nations, Plenary Meetings, 18th meeting, p. 24*)

Emperor Selassie continued,

> "...the issue before the Assembly to-day... is not merely a question of [settling one case of] aggression. It is a question of collective security;... of the trust placed by States in international treaties; of the value of promises made to small States that their integrity and their independence shall be respected and assured. It is a choice between the principle of the equality of States and the imposition upon small Powers of the bonds of vassalage." (*ibid., p. 25*)

To its shame and ultimate sorrow, the League of Nations did not listen to Haile Selassie, thus allowing the momentum towards broader conflict to build. A decade later the United Nations was designed to prevent a recurrence of that kind of failure of vision and will. It was established to safeguard the rights of every nation. Its founders rejected explicitly the doctrine that the strong should have the right, by virtue of their strength, to dominate the weak. The United Nations Charter recognizes explicitly the inherent right of individual and collective self-defence.

Yes, there is a need for the United Nations to be impartial in Bosnia. But impartiality means fairness, not fecklessness. There is nothing impartial about treating aggressor and victim the same. There is nothing fair about denying to both sides the weaponry that one side already has. There has been nothing even-handed about the consequences of the arms embargo against Bosnia.

It is a human tendency spanning all eras and cultures to believe that because we have said something we have done something. The stakes in Bosnia are too great — in terms of law, principle, precedent and humanity — for us to indulge that tendency now. It is the essence of leadership to choose. We can adopt yet another resolution that says all the right things but leaves the situation in Bosnia, which is profoundly wrong, untouched. Or we can choose a bolder course, conscious of the risks, but determined to surmount them.

Experience tells us that if the Bosnian Serbs are ever going to agree to a settlement, it will be in response to a demonstration of serious international will. The opportunity is at hand to demonstrate that will. Let us make good on past commitments. Let us present the options clearly so that the Bosnian Serbs cannot misunderstand. Let us allow time for a stronger mix of incentives and disincentives to have their effect. Let us plan together for a changed diplomatic and military situation in Bosnia. Let us maintain our own unity, and let us restore to Bosnia the rights it deserves.

Mr. Nobilo (Croatia): Two years have passed since the pictures of emaciated prisoners from the Serb-run concentration camp in Omarska shocked the conscience of the world. The international community has since taken numerous measures, mostly of limited scope, hoping that international law and accepted norms of international behaviour would offset the overwhelming balance of power and the systematic designs of evil on the part of the Belgrade-controlled Yugoslav Army and its proxies in Bosnia and Herzegovina and Croatia.

This policy of good intentions, despite its obvious shortcomings, has had some positive elements which cannot be overlooked. The international community has appropriated vast resources to lessen the pain and suffering of hundreds of thousands of displaced persons and refugees from Bosnia and Herzegovina. I am pleased to say that my country, despite its own dire circumstances, has been at the forefront of this effort.

Croatia's early and ongoing efforts have saved and cared for some 800,000 victims of Belgrade's aggression in Bosnia and Herzegovina. Croatia contributed some $832 million for the care of Bosnian refugees through 1993 and will continue to do whatever is reasonably possible in this regard and in other ways.

The international community has also taken positive legal decisions and established institutions to remedy some of the horrific consequences of the Serbian aggression in the region. Despite the immediate deficiencies of the international community's policy, some internationally binding decisions — such as guarantees contained in Security Council resolutions for the territorial integrity of violated Member States — and the International Tribunal for the punishment of war crimes give us hope that Omarska and many other such

testimonies to genocide will not be forgotten or erased by hasty and easy political manoeuvres.

The debate today and the draft resolution before us should serve, not as a forum to lay blame for opportunities forgone and responsibilities bypassed but, rather, as a forum to remember and reaffirm our legal responsibilities towards Member States and our solemn responsibility to humanity: to stand up and defend the innocent from archaic ideologies, barbarism and State-sponsored mass murder. The role of the Belgrade leadership in this cannot and should not be minimized or traded away.

Therefore, the judgements of the Committee on the Elimination of Racial Discrimination, recalled in the twelfth preambular paragraph of draft resolution A/49/L.14/Rev.1, and of the International Court of Justice, referred to in the seventeenth and eighteenth preambular paragraphs, about the role and responsibility of the Federal Republic of Yugoslavia (Serbia and Montenegro) in respect of Bosnia and Herzegovina and Croatia cannot and should not be trivialized by short-sighted attempts to outsmart or cajole the leadership of that entity.

In this regard, the Assembly must remain cognizant of its decisions to reject all attempts by thenew entity called the Federal Republic of Yugoslavia (Serbia and Montenegro) to enjoy the exclusive successor rights and privileges of the former Socialist Federal Republic of Yugoslavia, which has ceased to exist. The Assembly's previous resolutions have clearly established that the Federal Republic of Yugoslavia (Serbia and Montenegro) can assume neither sole nor automatic succession of the former Member State and that it can join the Assembly only when it has implemented all relevant Security Council resolutions in respect of Bosnia and Herzegovina and Croatia and has applied for membership. This issue will be a test of the Assembly's continued dignity.

I have noted three important positive elements of the international community's policy in respect of Bosnia and Herzegovina: humanitarian assistance, legal protection for pre-war borders and the International Tribunal. Another very positive element of that policy is outlined in the fifth preambular paragraph and in operative paragraph 16 of the draft resolution. The Washington Agreements have established a solid model for a political solution of the crisis in Bosnia and Herzegovina. My Government has given this model its unqualified support, and it welcomes all efforts intended to promote the timely implementation of these Agreements.

In this regard, one element that is especially worrisome for my Government is the fact that since the Washington Agreements were signed some 40,000 Bosnian Croats have nevertheless departed from some areas under the control of the Federation. We are also concerned by reports about the expulsion of Bosniac Muslims from Mostar.

Operative paragraph 14 of the draft resolution, which calls for mutual recognition between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro), also refers to an important mechanism for finding a lasting solution to the problems in the region. There are numerous proven international models for the solution of disputes between States through mutual recognition — for example, the protection of minorities outside national borders. We would welcome a strong call from the Assembly for Belgrade's recognition of all States successors of the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders.

Operative paragraphs 5 and 19 of the draft resolution attest to the close connection between the situation in Bosnia and Herzegovina and the situation in the occupied territories of Croatia. We have on numerous occasions brought to the attention of the international community the fact that the Bosnian Serb authorities are cooperating with the self-proclaimed Serb authorities from the occupied territories in Croatia in many ways, especially militarily, not only against Croatia but also against Bosnia and Herzegovina.

This cooperation, which has proved costly to both States, could be curtailed by various means, such as strict enforcement of paragraph 12 of Security Council resolution 820 (1993), which prohibits transshipments through the Bosnian Serb-controlled territory without the prior approval of the Government of the Republic of Bosnia and Herzegovina. This is why my Government has called on the border monitoring mission of the International Conference on the Former Yugoslavia to undertake measures consistent with the resolution.

My Foreign Minister, in a letter to the Secretary-General today, notes the risks to stability in the region associated with the coordinated activities of the Bosnian Serb paramilitary units and the Serb paramilitary units from the occupied territories of Croatia. He advises:

"Croatia reserves the right to act with all appropriate means against any military involvement from its sovereign territory against the Republic of Bosnia and Herzegovina."

Further in regard to the border monitoring mission of the International Conference on the Former Yugoslavia, which has become a critical policy instrument in the region, my delegation has pointed out that it is possible that the Serbia-Bosnia blockade regime is being violated by air — this idea is based on the no-fly zone violation reports from the Secretary-General — and that the monitoring mission should account for hundreds of unauthorized flights in the border areas. The latest report of the Secretary-General (S/1994/5/Add.77), which is dated 31 October, indicates that 61 flights of fixed-wing or rotary-wing aircraft were recorded in a three-day period between 25 and 27 October.

The situations of Bosnia and Herzegovina and of Croatia are indeed linked in many ways. In the past, Croatia has suffered only the negative consequences of this linkage. Coming on top of the high expenditures in respect of Bosnian refugees, Croatia's problems with regard to occupied territories were swept under the rug. This is not workable, and Croatia must insist on positive consideration in this regard. The positive linkage must come not only through diplomatic initiatives but also through the use of North Atlantic Treaty Organization resources and the eventual lifting of the arms embargo. The necessary balance in Bosnia cannot be achieved by taking a detour around Croatia.

Once again we wish to emphasize the positive elements of the international community's policy regarding Bosnia and, similarly, emphasize that these positive elements should not be minimized or squandered. At times it becomes worrisome that Bosnia and Herzegovina — a country in the northern hemisphere — finds consistent support in this regard mostly amongst countries of the south. This debate should therefore remind the whole Assembly of the source of the carnage in Bosnia and Herzegovina, and the draft resolution before us should serve to protect the remedies that should and could bring some justice and hope to this terribly wronged country and its people.

Mr. Farhadi (Afghanistan) *(interpretation from French):* One year after the General Assembly's last debate on this question, we find ourselves discussing the same problem. It is a problem of extreme seriousness for the world. If one were to compare what is happening this year to what happened last year, one might say that the situation has not improved.

The aggression against the Republic of Bosnia and Herzegovina goes on, and it continues to threaten international peace and security. It constitutes a very clear threat in the region in which Bosnia and Herzegovina is situated. Might it not be the beginning of a more widespread conflict, a conflict throughout the whole territory of the former Yugoslavia? The elements — in particular, Serbian hegemonistic nationalism — for such a conflagration are there. "Ethnic cleansing" — a crime against mankind — has not ceased.

Mr. Biegman (Netherlands), Vice-President, took the Chair.

The situation in Kosovo also continues to deteriorate. There is ongoing repression — based on national, religious and ethnic extremism on the part of the Serbs — against 2 million people of Albanian descent, and assurances from the Belgrade regime are deceptive.

Once again we appeal to the Organization to take up the more general issue of the situation of minorities in the former Yugoslavia, including Sandzak and Vojvodina, by establishing an international presence with a view to the preparation of a report on the matter.

An important event this year was the establishment of the Contact Group, whose peace plan the Assembly should now support. This is to be found in the Foreign Ministers' communiqué. Issued in late July 1994, the communiqué includes Contact Group decisions on measures to be taken in the event of the rejection of the proposed peace plan.

We are all well aware that the Government of the Republic and Federation of Bosnia and Herzegovina took the decision to accept the peace plan, but that the Bosnian Serbs, who indeed had not implemented the relevant Security Council resolutions, brutally rejected the peace plan proposed by the Contact Group.

Hence, the draft resolution must unambiguously condemn the Bosnian Serbs for their refusal to accept the proposed territorial settlement and must demand that they immediately accept this settlement in full and, of course, unconditionally.

At this morning's meeting, the representative of Ukraine stated that it was necessary and appropriate to

impose restrictions on the role of the General Assembly. My delegation is certain that the General Assembly has every right to encourage, indeed strongly request, the Security Council to give serious consideration to lifting the embargo on deliveries of weapons and military equipment to the Republic and Federation of Bosnia and Herzegovina that was imposed by the Security Council three years ago in resolution 713 (1991), of 25 September 1991. That is further outlined in the eighth preambular paragraph of the draft resolution which we have joined in sponsoring.

There is also the principle of individual responsibility for crimes against humanity and other serious violations of international humanitarian law, in this case perpetrated in the territory of Bosnia and Herzegovina. The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 has now begun its work and we trust that justice will be done.

Turning again to the question of the embargo, I would recall that in this very Hall last year, and on several occasions in the Security Council, my delegation has stated its view quite clearly that if the embargo imposed on Yugoslavia were applied in Bosnia and Herzegovina it would be completely illegal. Indeed, this is a point of law that has been made several times by international bodies.

The representative of the United States, whose eloquence we very much appreciated, rightly recalled that Bosnia has inherited an unjustified punishment from the predecessor State, Yugoslavia, and she used some words that I think, and hope, will go down in history in regard to this case:

> "There is nothing impartial about treating aggressor and victim the same". *(supra, p. 7)*

When the representative of Germany addressed the Assembly on behalf of the European Union, he made some very important points, for which we are grateful. But we do not agree with him that a political settlement should be sought until all means have been exhausted and that the embargo should be lifted only as a last resort. We feel that the time has come to apply this last resort.

Enough blood has been shed. To continue to tie the hands of the victims would mean encouraging and emboldening the aggressor, who is already armed to the teeth, having inherited the terrifying arsenal of the former Yugoslavia's army.

We wish to pay tribute to President Alija Izetbegović of Bosnia and Herzegovina, who made a very wise and fair proposal for a *de jure* lifting of the illegal embargo against Bosnia and Herzegovina, to be followed in six months by the actual lifting of the embargo if the Bosnian Serbs continued to reject the peace plan of the Contact Group. Well, the Bosnian Serbs are still rejecting that peace plan.

We thank Ambassador Batu of Turkey for rightly reminding us this morning that the five members of the Contact Group had indeed been in agreement that the Security Council could study the question of lifting the embargo if the Bosnian Serb side continued to reject the Contact Group's peace plan.

Mr. Osvald (Sweden): I am pleased to make this statement on behalf of the five Nordic countries — Denmark, Finland, Iceland, Norway and Sweden.

The Nordic countries share the views expressed in the statement made by the German presidency on behalf of the European Union.

The Nordic countries start from the premise of the indisputable territorial integrity of the Republic of Bosnia and Herzegovina and the legitimacy of its Government. Bosnia and Herzegovina must be allowed to function once again as the multi-cultural society it was only a few years ago. We need a process of healing, reconciliation and reintegration across religious and ethnic lines.

The Nordic countries support the process of negotiations with a view to finding a comprehensive political settlement of the crisis in the former Yugoslavia. We are encouraged by the renewed contacts on a high political level between Belgrade and Zagreb. The relentless efforts and the concrete proposals worked out by the international community, including the Contact Group and the International Conference on the Former Yugoslavia, have our strong support. The search for a solution is currently in a dynamic phase.

We are very concerned at renewed escalation of fighting in Bosnia and Herzegovina. The situation around Sarajevo is deteriorating. Once again the civilians are victimized in the capital and other enclaves. The Nordic countries strongly appeal to the parties to immediately cease all hostilities, and urge the Bosnian Serbs to unconditionally accept the Contact Group plan.

The sanctions regime is an important element in the search for a solution. The Nordic countries support the Security Council's recent decision to tighten the sanctions against the Bosnian-Serb side for its refusal to accept a territorial settlement for Bosnia and Herzegovina. At the same time, the Security Council decided to suspend some of the sanctions against the Federal Republic of Yugoslavia. Further easing of sanctions will be contingent on additional significant and well-defined steps taken by Belgrade.

The timely and constructive efforts of the International Conference on the Former Yugoslavia to establish a mission on the border between Bosnia and Herzegovina and the Federal Republic of Yugoslavia contribute to the isolation of the Bosnian Serbs. The Nordic countries, being so far the main contributors to the mission, urge other countries to join in supporting it financially and with personnel.

The Nordic countries are among the largest contributors to the peace process, participating in humanitarian operations — where the Office of the United Nations High Commissioner for Refugees (UNHCR) plays the leading role — and the United Nations Protection Force (UNPROFOR), as well as in other efforts.

The presence of UNPROFOR will continue to be vital for the maintenance of supply routes of humanitarian aid into Bosnia and Herzegovina, for the safe areas and as an overall element of stability in a volatile situation. The agreed close coordination of UNPROFOR and the North Atlantic Treaty Organization (NATO) is an important element in this regard. Despite limitations in manpower and other resources, constant infringements on its freedom of movement and allegations of ineffectiveness, UNPROFOR is doing a first-rate job.

UNPROFOR must act decisively, and not fall victim to intimidation, in order to maintain respect for its mandate and its troops.

We welcome the procedure laid down in the meetings of UNPROFOR between representatives of the members of the Security Council, the Secretary-General and the troop-contributing countries, and call for the further development and formalization of this mechanism for other United Nations operations.

A lifting of the arms embargo would have serious implications for the security of UNPROFOR and the humanitarian aid operations it has been mandated to protect. This would in turn further victimize the beneficiaries of this vital humanitarian aid — namely, the civilian population, including the Muslims. Moreover, the risk of an escalated war and a proliferation of the conflict would increase.

In the absence of a negotiated settlement, the human tragedy will continue. The Nordic countries deplore the continued "ethnic cleansing" taking place, particularly in areas under Bosnian Serb control. This practice must cease. We must support the work of the International Tribunal with regard to the former Yugoslavia to bring the perpetrators of breaches of international humanitarian law to justice, and establish a deterrent for those who might be contemplating renewed acts of "ethnic cleansing" and other abhorrent practices. In the meantime, we must keep up our humanitarian efforts.

Once a peace settlement has been achieved the peoples of Bosnia and Herzegovina will have to start the long and cumbersome path of a return to normal life. In this process the international community will have to assume its share of responsibility for rehabilitation and reconstruction and the repatriation of refugees and displaced persons, the success of which is a crucial precondition for a durable peace. Rehabilitation plans must be conceived in a regional context and must aim at fostering reconciliation, respect for human rights and democratic principles.

Efforts to achieve reconstruction have started in certain areas of Bosnia and Herzegovina, notably in Sarajevo and Mostar, led by the United Nations and the European Union respectively. These efforts are of the utmost importance as a way to contribute to the peace process at large. Every little step towards the normalization of everyday life is also a step towards peace.

Mr. Al-Ni'mah (Qatar) *(interpretation from Arabic)*: Here we are once again doing what we have done time and again over the past years; discussing the tragic situation in Bosnia and Herzegovina. We find ourselves, as we did in the past, with our world looking on while the tragedy unfolds. Once again we find this Assembly haunted, as in past years, by the ghosts of those martyrs, their wounds dripping blood and their mouths and tongues uttering words of anguish that should set the conscience alight, calling for help, bemoaning the many Muslim victims butchered by those unjust extremist people, the Serbs, asking for international succour that is not forthcoming, that is hoped for but turns out to be a

deceptive mirage, that is aspired after but, when reveals itself, it turns out to be a toothless champion, a rainless cloud and a gourd that contains nothing but injustice and harm.

What are we to do with promises that are made to taste like honey, with beautiful words that come at us from the halls of the Security Council and that ramble in the statements read before this Assembly? It behoves us to call on those that are hesitant to stop being hesitant and to spare no effort in trying to save those whose blood is being shed. Do not those who are hesitant know that the Serb extremists have perpetrated many unspeakable acts and committed many atrocious crimes and do not they realize that this forum should take the necessary action, provide the necessary treatment and become the physician and healer when there is no other remedy?

When one bears responsibility before history for taking humanitarian action, one should not ignore the fact that the wounds of Bosnia and Herzegovina still bleed, and that bloodshed is on the increase. The Bosnian victims are reminding all those who would not strive for peace that the citizens of Bosnia and Herzegovina have no option but to fight for their lives and their livelihood. The only alternative is the grave, since life is not worth the humiliation.

What kind of life is this for those who are deprived of dignity and respect in their own homeland? The people of Bosnia have been ignored by the United Nations. That is why they have been suffering all this. History and the whole world have denied them their rights, and they have suffered the slings and arrows of outrageous fortune.

It is the Bosnian people who are living on the absolute minimum needed for survival, and the price they pay is their own blood and suffering. The Assembly must be aware of all this, and if it is not, we must provide the information: the victims in Bosnia and Herzegovina have been victimized by mass killings and by the injustice of the Serbs. They are at a dead end, and there is no light at the end of the tunnel. They wonder, as we do at this late stage, if this is not the time for this international forum to feel the spirit of humanity and conscientiousness, and if this is not the time for the international community to consider rising up to its responsibilities instead of just extending condolences to the victims of Bosnia and Herzegovina. Words and statements mean nothing. The martyrs are bleeding and praying to Allah to have mercy on them. They appeal to this forum to be a place where the word of truth is uttered, to resurrect its dead conscience, to defend them from cruelty and to let its conscience be newly inspired by the martyrs and the victims of Serb criminal acts. Otherwise, no matter how long we live, this forum will continue to witness the hatred in that part of the world and to watch Serb hatred manifested in ethnic cleansing. Bloodshed will demand new blood, and Bosnia and Herzegovina will become an endless fire that spares no one.

With regard to the question of Bosnia and Herzegovina, the State of Qatar believes that there are self-evident facts and principles that should not be ignored or abandoned. These are facts that are contained in all the resolutions of the Assembly and of the Security Council, and in the statements made in international forums, foremost among which are the Organization of the Islamic Conference, the Non-Aligned Movement and the League of Arab States. The facts we refer to are the following:

First: the Republic of Bosnia and Herzegovina is a sovereign, independent State Member of the United Nations that enjoys all the rights provided for in the Charter, including the right to self-defence in keeping with Article 51.

Second: the Republic of Bosnia and Herzegovina should be enabled to preserve its independence, its unity and territorial integrity, and it is necessary to underscore the responsibility of the Security Council in this respect under Article 24 of the Charter.

Third: as the odious policy of ethnic cleansing, and its results, are unacceptable to the international community, and as the acquisition of other people's territories by means of ethnic cleansing and by force is illegal under international law, those who have acquired such territories should be made to give up those lands.

Fourth, perpetrators of acts of genocide and of crimes against humanity should be brought to trial and punished. This calls for the exercise by the International Tribunal of its mandate without delay, and it should be enabled to do so.

Fifth, the right of all refugees and displaced persons to return voluntarily to their homeland in peace and dignity must be upheld.

Sixth, the city of Sarajevo should be preserved as it is an ancient and historic city with a special cultural character, and the hometown of a multi-ethnic and multi-religious community.

Seventh, all proposals to settle the conflict should be in keeping with the United Nations Charter and the principles of international law. They should be just and equitable in order for the settlement to guarantee the establishment of durable peace in Bosnia and Herzegovina.

The tragedy of Bosnia, whose chapters we have witnessed from the very beginning, and the attendant tragedies and suffering that daily befall this Muslim people, who are thus subjected to atrocities, killing and displacement, bespeaks the inability of the international community as represented in this General Assembly to deter the aggressor, or to put an end to aggression.

This aggression is directed at the Republic of Bosnia and Herzegovina, a Member State of the United Nations. In that State the aggressors, the Serb extremists, have practised the odious policy of ethnic cleansing and all sorts of barbaric acts including mass killings and murder, rape, displacement of populations and serious violations of human rights. All appeals to these aggressors have fallen on deaf ears. This makes it imperative for the United Nations to shoulder the responsibility it has so far failed to discharge as the major Powers have failed to rise to their responsibilities by imposing an adequate solution that would put an end to this tragic situation in Bosnia and Herzegovina.

This has added a new and sad chapter to the history of mankind, a chapter recounting the United Nations inability to act, the collapse of all the moral standards, enshrined in its Charter to which we should all be committed, the collapse of the mainstays of peace and security in today's world. My delegation therefore calls upon every member of the international community to take a firm decision and impose decisive steps and measures that would eliminate the effects of the aggression against Bosnia and Herzegovina, restore what has been usurped, return what has been plundered and thereby return to the people of that land their rights. By so doing, the international community would reinstate a spirit of commitment to the United Nations Charter, a spirit of adherence to international law and the authority of the law, deter those who would violate it and lay the foundations of cooperation and understanding amongst peoples in a world in which, we hope, justice and peace may prevail and foster tolerance, benevolence and a spirit of mutual trust; a world in which benefits are mutual and common interests are respected. Steps must be taken to make the planet a happy place, a place where human well-being can be achieved and in which all people enjoy prosperity.

The people and Government of the State of Qatar at every level have clearly demonstrated their position in support of the people of Bosnia and Herzegovina. We have sought with all our power to extend a supporting hand to that people and to help them face the tragedies and afflictions that beset them. We have contributed to measures designed to enable that people to regain their rights, preserve their national identity and independence and achieve their legitimate ambitions, which are guaranteed and protected by the United Nations Charter.

Proceeding from this, the delegation of Qatar is a sponsor of draft resolution A/49/L.14/Rev.1 now before us, which embodies all the principles I have just enunciated and which sets forth the minimum that must be accomplished by the international community if there is to be a just and lasting peace settlement in Bosnia and Herzegovina that would guarantee the rights of the Bosnian Moslems within the borders of an independent State.

Mr. Chung-Ha Yoo (Republic of Korea): One year ago in this very forum we were deploring the tragedy of the conflict in the Republic of Bosnia and Herzegovina. Today, despite numerous appeals and efforts by the international community, the scene remains largely unchanged. The bitter hostilities in Bosnia and Herzegovina continue to pose a serious threat to international peace and security, and acts of genocide and "ethnic cleansing" have not ceased. Even as we speak, the people of Bosnia continue to suffer from senseless brutality.

While appreciating the efforts undertaken by the United Nations and its Member States — including the United States, the Russian Federation and the countries of the European Union — to bring about a negotiated settlement, the Republic of Korea believes that the international community as a whole needs to take further steps to end the atrocities being committed in Bosnia and Herzegovina.

The year 1994 began with relatively hopeful signs for peace in Bosnia. In March, the Washington Agreements laid down a foundation for a just and viable peace in Bosnia and Herzegovina by defining the

framework of a federation which would preserve the territorial integrity and unity of Bosnia and Herzegovina as a multicultural, multireligious and multi-ethnic State. However, the momentum for a comprehensive peace soon dissipated, when the Bosnian Serb forces refused to join the federation. In July the Bosnian Serb forces rejected yet another plan presented by the Contact Group.

In this regard, the decision of the Federal Republic of Yugoslavia last August to break off its political and economic ties with the Bosnian Serbs and close its borders with the Serb-held areas was noteworthy. The Republic of Korea hopes that the Federal Republic of Yugoslavia will sincerely adhere to its commitment.

However, monitoring the compliance of the Federal Republic of Yugoslavia with its commitment is a substantial task which the United Nations cannot neglect. We hope that the Security Council will devise an effective mechanism to verify such compliance.

The Republic of Korea has been following with grave concern the massive and systematic violation of human rights in Bosnia and Herzegovina, especially in those areas under the control of the Bosnian Serb forces. In the cities of Bosnia where Serbs, Croats and Muslims once lived side by side, "ethnic cleansing", genocide, abuse of women, torture and arbitrary executions have now become a common practice. The Republic of Korea strongly demands that all forms of inhuman acts of "ethnic cleansing", wherever they occur and by whomever they are committed, cease immediately. If "ethnic cleansing" and the strangulation of Sarajevo and other "safe areas" continue, the international community should take concrete steps as proposed by the Contact Group, including the strengthening of sanctions against the offending party.

Given the importance to international peace and security of the protection of fundamental human rights, the establishment of the International Tribunal to prosecute those who have violated international humanitarian law in the former Yugoslavia was an important initial step. My Government pledges its full support for the work of the Tribunal.

A lasting peace can be achieved only through political means, not military force. All parties to the conflict must understand that use of arms cannot open the door to peace. At the same time, my delegation fully understands and shares the apprehensions of troop-contributing countries that lifting the arms embargo will aggravate the situation and also seriously affect the safety of peace-keepers deployed in the area. However, having thus far failed to secure peace in the region, the international community has a moral and political obligation to respond to the Bosnian people's legitimate concern about their very existence.

In this regard my delegation notes that President Alija Izetbegović of the Republic of Bosnia and Herzegovina announced on 27 September that he would limit the demand for lifting the arms embargo to the adoption of a formal resolution and accept a deferment of the actual implementation of the resolution for up to six months. The Government of the Republic of Korea wishes to commend his announcement as an appropriate and judicious step. We earnestly hope that the situation in Bosnia will improve so that the Bosnian people will not have to face the same difficult question when the six-month period has expired.

History teaches us that political advantage wrested by crude military force cannot be sustained. The Bosnian Serb leadership must realize that it can join the international community only by accepting a negotiated settlement. The Republic of Korea urges it to accept the Contact Group peace plan unconditionally and in full and to respect the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina. The Bosnian Serb forces should also allow the United Nations Protection Force (UNPROFOR) complete freedom of movement and access to problem areas.

It is crucial that the international community actively engage in alleviating the suffering of the Bosnian people and facilitating a negotiated settlement based on the principle of cooperation and genuine partnership. As a Member State that is firmly committed to maintaining international peace and protecting the welfare of the global citizenry, the Republic of Korea will continue to participate in international efforts to restore peace and justice to Bosnia and Herzegovina.

My delegation believes that the draft resolution before us generally reflects the position of my Government, and we will vote in favour of it. We hope that today's resolution will be another significant step in our efforts for peace in Bosnia.

In closing, the delegation of the Republic of Korea would like to express its deep appreciation and pay tribute to the personnel of UNPROFOR, the Office of the United Nations High Commissioner for Refugees (UNHCR), and other humanitarian organizations. In light

of the dangerous situations in which they carry out their duties, my delegation would like to emphasize the primary importance of ensuring the safety of the brave men and women who are risking their lives to bring peace and humanitarian assistance to the people of Bosnia on behalf of the international community.

Mr. Sucharipa (Austria): War, aggression, human suffering and grave violations of human rights continue to rage in Bosnia and Herzegovina. At the same time, international efforts aimed at putting an end to the ongoing fighting and the resulting human tragedies have entered a critical phase.

Numerous earlier attempts to bring about an effective cease-fire and to alleviate the intolerable humanitarian situation have again and again raised high hopes among the suffering people in Bosnia and Herzegovina; all of them have fallen short of meeting these expectations. Hopes are once again pinned upon the most recent proposal: the plan for a territorial settlement worked out and presented to the parties by the Contact Group.

In order to be viable, any solution will have to be achieved in accordance with all relevant Security Council resolutions, with the principles adopted by the London Conference on the Former Yugoslavia in August 1992 and with the norms established within the framework of the Conference on Security and Cooperation in Europe (CSCE). On this basis, the Contact Group plan offers a sound foundation for a cessation of hostilities as the essential prerequisite for further efforts towards a lasting political solution to the conflict. This process, long and strenuous as it might be, should and must finally lead to peace, mutual respect and mutual understanding in a multi-ethnic community. The logic of peace must finally overcome the logic of war.

We therefore join the previous speakers, especially the representative of Germany speaking on behalf of the European Union, in welcoming the acceptance of the proposed territorial settlement plan in full by the Government of the Republic of Bosnia and Herzegovina. We also join in condemning the continued rejection of the plan by the Pale leadership of the Bosnian Serbs. This rejection stands in clear opposition to the expectations of the international community as expressed in Security Council resolution 942 (1994), which clearly demands that the Bosnian Serb party accept this settlement. Once again, the credibility of the Security Council and hence of the global system of collective security is at stake.

All international efforts must therefore now be united to exercise the strongest possible pressure on the Bosnian Serb leadership. Through the maintenance of political and economic isolation two unequivocal messages must be delivered to that leadership: first, a message of our absolute condemnation of its continued policy of aggression and obstruction, its rejection of the settlement plan and its lack of cooperation even in the field of humanitarian assistance; and, secondly, a message of our absolute condemnation of its continued policy of "ethnic cleansing", its systematic violations of international humanitarian law and its systematic campaign of terror. For all these acts, those responsible must be held personally accountable. We therefore urge the speedy initiation of the judiciary process by the International Tribunal set up for the punishment of all war crimes in the former Yugoslavia, without any infringement of a political nature.

In view of the existing limitations upon international action in the former Yugoslavia, sanctions and their proper application in order to provide incentives and disincentives have gained the highest importance as a means of pressure for gaining cooperation. The international community has proved its willingness to act accordingly, on the one hand in tightening the sanctions regime against the Bosnian Serbs and their leadership to achieve compliance with the settlement plan, and on the other in honouring the decision of the authorities in Belgrade, whose main responsibility for the tragic events in former Yugoslavia has been generally recognized, to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia. We support the establishment of the mission of the International Conference on the Former Yugoslavia. We sincerely hope that Belgrade, after this first step in the right direction, will follow this path without further hesitation and contribute constructively to the process of finding a peaceful solution.

To maintain this momentum, Austria supports relevant proposals that are being advanced on the best possible utilization of the incentives-disincentives mechanism. In this context, the recognition by the former Republic of Yugoslavia of the Republic of Bosnia and Herzegovina and of Croatia within their present borders must be considered as the minimum condition for any further move on the question of sanctions. Furthermore, the continuous violations of human rights in Kosovo, Sandjak and Vojvodina will have to be taken into account.

In view of the fact that Bosnia and Herzegovina is still denied adequate protection within the framework of the system of collective security, we must regard as legitimate the demands of the Government of Bosnia and Herzegovina for the lifting of the arms embargo enacted by Security Council resolution 713 (1991). The exercise by the Republic of Bosnia and Herzegovina of its right of self-defence under Article 51 of the Charter of this Organization must not be impeded. At the same time, we are aware of the dilemma that might be created by the lifting of the embargo, as well as of the difficulties inherent in such a decision, which could entail far-reaching consequences. In our view, therefore, all factors must be carefully considered, including the necessary flexibility concerning the timing of the decision and the actual lifting of the arms embargo. We understand that operative paragraph 22 of the draft resolution before us, in conjunction with the eighth preambular paragraph, provides room for such careful consideration and flexibility. In this context we have taken note of the statement made this morning by the Permanent Representative of Bosnia and Herzegovina, in which he referred to the need to coordinate all efforts, including those of the Contact Group, the Security Council and the UNPROFOR troop contributors, in the search for peace and in order to minimize any potential negative effect on their endeavours.

We therefore hope and trust that further action on this issue will be based on a thorough examination and analysis of all relevant aspects. We would have preferred clearer language to this effect in the draft resolution before us.

Finally, we wish to pay sincere tribute to all those at the negotiation table and to those on the ground who, despite many setbacks, have not ceased their efforts and have not given up their belief in the possibility of a lasting political settlement. In particular, we express our deepest appreciation for the tireless endeavours, exerted under the most difficult and dangerous conditions, of the personnel of the United Nations Protection Force, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and all other humanitarian organizations.

Mr. Rabbani (Pakistan): During the past 32 months, the Republic of Bosnia and Herzegovina has been engulfed in a long twilight struggle against repression and terror in what history will record as the gravest tragedy, while the world looked on as bystanders, as if paralysed. The Government and the people of this State have been subjected to the most blatant aggression and genocide witnessed in modern history. The people of Bosnia and Herzegovina are not only the victims of aggression but are also subjected to double standards and to cynical abandonment. The international community has, by and large, remained helpless and unwilling to defend a Member of the United Nations faced with extinction through aggression and genocide.

We are discussing the situation in Bosnia and Herzegovina at a critical moment. The Government of Bosnia has displayed a sense of responsibility by accepting the peace proposal of the five-nation Contact Group, which has recently been endorsed by the Security Council. This peace proposal does not respond fully to the requirements of justice and equity. It will not fully reverse the consequences of Serbian aggression in Bosnia and Herzegovina, nor will it fully remove the consequences of "ethnic cleansing".

On the other hand, the Bosnian Serb party continues to defiantly reject the peace plan, and its wanton aggression against the civilian population in Bosnia and Herzegovina continues unabated. As a result of this aggression, 70 per cent of the territory of the Republic of Bosnia and Herzegovina remains under Serbian occupation, 200,000 civilians have been killed, and over 1 million inhabitants of Bosnia have been expelled from their homes. As if this were not enough, hundreds of cities and villages have been destroyed - burned and razed to the ground. The magnitude of the tragedy in Bosnia is an ugly scar on the conscience of the civilized world as to its ability to act in order to preserve the ideals that it cherishes.

In total defiance of the will of the international community as articulated in the resolutions of the Security Council, the General Assembly and the Organization of the Islamic Conference (OIC), the Bosnian Serb party continues its campaign of "ethnic cleansing", genocide and terror against the non-Serbian population, particularly the Muslims, while consolidating its hold on territories seized through the use of force. Bosnian Serb forces continue to violate "safe areas", the exclusion zones and the no-fly zone in Bosnia and Herzegovina with impunity.

The international community, in particular the Security Council and the States members of the European Contact Group, have failed to effectively respond to this situation by undertaking strong enforcement measures, particularly the use of force and air strikes, already authorized by the relevant Security Council resolutions. In the recent past, the Bosnian Serbs blatantly violated

the no-fly zone by conducting hundreds of helicopter flights between the Federal Republic of Yugoslavia and the Serb-held areas in Bosnia and ferried large quantities of arms and ammunition from the Federal Republic of Yugoslavia.

While the Serbs have demonstrated utter contempt for the mandatory Chapter VII resolutions of the Security Council, the international community has stood by silently. It has, in fact, allowed Serbia and Montenegro to act in any manner it wants. Ironically, on 23 September 1994, the Security Council adopted resolution 943 (1994), which partially eased sanctions on the Federal Republic of Yugoslavia in return for its willingness to place a limited number of international monitors along its borders with the Serb-held areas of Bosnia. This move by the Security Council is nothing less than appeasing and rewarding the aggressor and sacrificing the principles of justice and equity enshrined in the United Nations Charter. This has sent entirely the wrong message to Belgrade. It is likely to harden the Serbian position with regard not only to the overall settlement of the Bosnian conflict but also to the problems of the Balkan region in general. Effective monitoring of the borders between Bosnia and Herzegovina and Serbia and Montenegro to prevent arms supplies flowing to the Bosnian Serbs is likely to prove difficult. Pakistan voted against that resolution.

The Organization of the Islamic Conference has all along been seized with the tragic situation in Bosnia and Herzegovina and has made a significant contribution to upholding the legitimate rights of the Republic of Bosnia and Herzegovina and its people. The solidarity and support extended by the entire Islamic World to the brave Bosnian people has helped them to resist the Serbian aggressors. Our endeavours have mobilized the world community to wake from its slumber and face the realities of the brutality and slaughter imposed on the Bosnian people. Pakistan is proud to be Chairman of the twenty-first Islamic Conference of Foreign Ministers, and in that capacity to chair the OIC Contact Group on Bosnia and Herzegovina.

During the Seventh Extraordinary Session of the Foreign Ministers of the Organization of Islamic Conference, held in Islamabad from 7 to 9 September 1994, a declaration and a comprehensive resolution were adopted that strongly urge all concerned to take a series of measures to strengthen the peace process and to reverse the consequences of aggression against Bosnia and Herzegovina. An extraordinary meeting of the OIC Contact Group at the Ministerial level took place in New York on 29 September 1994 and renewed its full and unqualified support for our Bosnian brothers and sisters.

Pakistan is of the view that the continuing inhuman atrocities committed by Serbia on the non-Serb population of Bosnia and the inexplicable inability of the international community to effectively respond to it make it ever more imperative that the Security Council end the de facto arms embargo on Bosnia and permit the people of Bosnia and Herzegovina to exercise their basic right of self-defence under Article 51 of the United Nations Charter. In this context, we welcome the recent initiative of the United States in the Security Council. We extend our full support to the early adoption of a resolution that seeks to lift the arms embargo against Bosnia and Herzegovina.

At the same time, the Security Council should take appropriate measures to relieve the prevailing humanitarian catastrophe in Sarajevo. It should meaningfully and forcefully respond to any further violations of its resolutions, including resolutions 824 (1993), 836 (1993) and 900 (1994). Further measures should be adopted by the Security Council to declare the entire 51 per cent territory allocated to the Muslim-Croat Federation as a "safe area".

Pakistan urges the International Tribunal to take immediate measures for the prosecution and punishment of war criminals. In this regard, we urge the international community to come forward with material and financial assistance to ensure the effective functioning of the Tribunal, especially relating to the recording of evidence of female witnesses. The Tribunal must also establish a liaison office in Sarajevo in order to coordinate its work with the authorities of Bosnia.

I take this opportunity to reiterate that the Government and the people of Pakistan deeply appreciate and fully support the principled, courageous and conciliatory position taken by the Bosnian Government, especially in accepting the five-nation European Contact Group's peace plan, which imposes a difficult burden of internal border delimitations. Pakistan fully backs the demand made by the President of Bosnia and Herzegovina to the Security Council and the General Assembly in his address in a plenary of the General Assembly last month.

In conclusion, from the rostrum of the General Assembly of the United Nations, let the word go forth that no sacrifice will be too great, no difficulty

insurmountable for the Bosnian people to achieve final victory in their struggle. While a civilized or so-called civilized world looks helpless in its inactivity, Pakistan expresses its solidarity with the just, righteous and principled struggle of the people of Bosnia and Herzegovina and recognizes the courage, steadfastness and commitment to principles of the people and leadership of this State. It is of the firm belief that, as history comes full circle, there will be light at the end of the tunnel.

Mr. Abu Odeh (Jordan) *(interpretation from Arabic)*: Once again, the General Assembly discusses the situation in Bosnia and Herzegovina. Once again, the General Assembly, the body that represents the international will, tries to muster the necessary will to adopt a new resolution in the hope that the adoption of such a resolution will put an end to the tragedy of that Republic, which, since its emergence, has been the target of a systematic Serbian aggression, whose tragic consequences and horrific manifestations, which are well-known to the international community, testify to the Organization's inability to end injustice and to uphold what is right.

When we speak of the tragedy of Bosnia and Herzegovina, we speak of a tragedy that has two facets, one of which is humanitarian while the other is political. On the humanitarian level, the reports we continue to receive describe the atrocious human suffering of the Bosnian people, especially at the hands of the Serb militias which wage terroristic campaigns in such places as Banja Luka and Bijeljina and through the "ethnic cleansing" that takes place in the territories under Serb control. The report of the Committee on the Elimination of Racial Discrimination in document A/48/18 and the report of the Special Rapporteur of the Commission on Human Rights situation in the former Yugoslavia highlight the systematic and extensive violations by the Serb militias of human rights and international humanitarian law, including the Geneva Conventions and their Protocols. There is no doubt that the continuance of such crimes and human tragedies — even if it has not sufficed so far to awaken the conscience of Europe, or to alert us to the fact that such crimes put into question the very principle of collective security and undermine the credibility of the United Nations as the guardian of human rights — should suffice to alert us to the very grave threat such unchecked criminality poses to all peace efforts.

From the humanitarian point of view, my delegation wishes to make the following comments:

First: there is a need for the international community to commit itself to the intensification of its humanitarian assistance to Bosnia and Herzegovina, especially before the onset of winter. This requires the reopening of Tuzla airport because of its vital importance with regard to the distribution of humanitarian assistance in conformity with Security Council resolution 770 (1992). Here, we should like to commend the sincere efforts of the Office of the United Nations High Commissioner for Refugees, the specialized agencies of the United Nations and the United Nations Protection Force.

Second: there is an absolute need to force the Serb side to raise its siege of Sarajevo and other cities, as such siege constitutes a main source of human suffering and a main obstacle that impedes all peace efforts.

Third: quick and effective action must be taken to put an end to the policy of "ethnic cleansing", to bring the perpetrators of the crimes arising from that policy before the international war crimes Tribunal, to nullify all the results on the ground of that policy, to affirm the right of all refugees and displaced persons of the people of Bosnia and Herzegovina to return to their homes, and to shut down all concentration camps.

Fourth: the international war crimes Tribunal should be strengthened, its members protected and all the parties concerned, especially the Serb side, should be forced to facilitate its work and to cooperate with it.

As to the second facet of the tragedy, namely the political one, most of the General Assembly and Security Council resolutions have not been implemented and, to date, have yielded no positive results in the search for a peaceful settlement to the issue, for the sole reason that the Serb party has continued to enjoy military superiority over the Bosnian army. This is precisely why the Serbs have continued to refuse to deal seriously with any of the peace efforts deployed by the international community within the framework of the International Conference on the Former Yugoslavia and to reject every peace plan while all such plans have been accepted by the Government of Bosnia and Herzegovina although they invariably reflected a tendency to appease the Serb aggressors or even to bow to the *fait accompli* situation the Serbs have continued to impose on the ground through their military superiority.

The most recent of those peace plans, the plan proposed by the Contact Group last July, did not diverge from that tendency: it gave the Serb aggressors 49 per cent of the overall territory of Bosnia and Herzegovina. Notwithstanding, the Bosnian Government accepted the plan while the Serbs rejected it. The only new and rather encouraging element this time has been the insistence of the Contact Group on forcing the Serbian party to accept the plan, to the extent of hinting at certain measures to bring about such acceptance. Although the measures the countries, or some of the countries, of the Contact Group seem to threaten the Serbs with do not include any collective security measures or any application of the provisions of Chapter VII of the Charter and are no more than a threat to the aggressor that the victim may actually be allowed to defend itself, we believe that it is a step in the right direction on the part of the countries dealing with the problem.

At this level, we should like to make the following comments:

First: the ambitions and greed of the Serb aggressors should be thwarted with firmness. They should not be allowed this time to succeed in rejecting the peace plan, as their aim is to continue to blackmail the international community and thereby to obtain new concessions at the expense of the principles of the Charter and of international law and the rights of the people and Government of Bosnia and Herzegovina. The resolute stand we need in this respect is for the Western Contact Group to honour its promise to take the necessary measures to force the Serb party to accept the peace plan.

Second: the Contact Group, which acts on behalf of the international community in trying to arrive at a peaceful settlement to this crisis, must secure, in any peace plan, the legitimate rights of Bosnia and Herzegovina in accordance with the Charter of the United Nations and in particular its right to sovereignty, unity and territorial integrity.

Third: the arms embargo imposed on Bosnia and Herzegovina undermines the right of Bosnia and Herzegovina to self-defence and breaches Article 51 of the Charter which guarantees that right to all Member States. Here we wish to recall that resolution 713 (1991) which imposed the arms embargo was acceptable in the context of the expectation that the international community would take upon itself the task of defending the weaker party, an expectation which did not materialize regardless of the stipulation in Article 103 of the Charter that it is the obligation of the Members of the United Nations under the Charter that should prevail above all else. In the light of this, the international community is called upon to shoulder its responsibilities under Article 24 of the Charter and provide the necessary protection to and secure the legitimate rights of Bosnia and Herzegovina, a State Member of the United Nations.

Fourth: it is the duty of the international community to support the compromise solution proposed by the Government of Bosnia and Herzegovina namely the *de jure* lifting by the Security Council of the arms embargo, and the deferment of the coming into effect of that lifting of the embargo for six months in order to give the Serb side a chance to accept the peace plan. This proposal proves that the Government of Bosnia and Herzegovina prefers the political to the military solution. Otherwise, that Government would not have given such priority to persuading the Serbs to accept the peace plan.

Fifth: if it is agreed to lift the arms embargo, the mandate of the United Nations Protection Force (UNPROFOR) should be amended, on the one hand, and, on the other, the areas wherein it is deployed should be changed accordingly, in order to ensure its neutrality and stave off any possible danger that may threaten its personnel.

Sixth: the mission of the International Conference on the Former Yugoslavia in charge of monitoring the borders between the Republic of Bosnia and Herzegovina and the Republic of Serbia and Montenegro should ensure that resolution 943 (1994) is respected and should immediately halt the implementation of the Security Council resolution relaxing the sanctions if Serbia and Montenegro do not adhere to their own decision to hermetically close their borders with Bosnia and Herzegovina.

The draft resolution before us today (A/49/L.14/Rev.1) is yet another attempt to urge the international community to move towards the resolution in a balanced and equitable manner of this tragic situation. We are among the sponsors of the draft resolution and we hope that all Member States will stand by the draft resolution and adopt it without a vote — in order to express the determination of the international

community to put an end to aggression against a Member State of the United Nations.

Mr. Al-Sameen (Oman) *(interpretation from Arabic)*: At the outset allow me, on behalf of the delegation of Oman, to extend heartfelt thanks to the Secretary-General of the United Nations, Dr. Boutros Boutros-Ghali for his report on the situation in Bosnia and Herzegovina relating to agenda item 39, which is under discussion today.

At a time when the United Nations is preparing to celebrate its fiftieth anniversary, we still see parts of our world exposed to the most horrible forms of suffering, war and destruction. The ongoing onslaught on the Republic of Bosnia and Herzegovina today by the Serbs is an aggression that targets that Republic's sovereignty, its territorial integrity, and the culture of its people in defiance of the numerous international resolutions adopted to this date. The fact that this could take place leads us to say that although we are happy to see our Organization moving forward towards its fiftieth anniversary, we are extremely concerned that the Bosnian Serbs should be able to continue to defy international resolutions and violate international humanitarian law with impunity. Such barefaced violation and defiance throw into doubt the credibility of the United Nations system. That such acts go unpunished while there are more than 60 United Nations resolutions on the situation in Bosnia and Herzegovina is a regrettable situation indeed.

When we watch the suffering of the maimed, of dispersed families, of displaced persons, of detainees in Serbian horror camps and of the victims of collective rape; when we witness the use of ethnic cleansing as a weapon of war, when we hear of all the blatant violations of human rights perpetrated against specific segments of the population of Bosnia and Herzegovina, in Bihac, Gorazde and Tuzla, we should be encouraged to think again and take a common stand that rejects such practices which run counter to the most basic values of humanity. We should call, once again, on the leaders of the Bosnian Serbs to respond to the resolutions adopted by the international community and to opt for peace through the unconditional acceptance of the peace plan proposed by the international Contact Group which we consider to be a sound basis for solving the problem while taking into account the interests of all parties and leading to the restoration of peace and stability to that part of Europe.

My delegation, through participation in the deliberations of the Security Council, has time and again expressed its full support for all peaceful efforts that would restore peace and stability to the Republic of Bosnia and Herzegovina. While we commend the efforts of the Secretary-General, the Member States, the international Contact Group, and the Contact Group of the Organization of the Islamic Conference, as well as the important role played by UNPROFOR, United Nations personnel and the personnel of other humanitarian organizations who work under extremely difficult conditions in Bosnia and Herzegovina, we must renew our call to the United Nations to focus on implementing its resolutions and urgently to adopt a resolution exempting the Republic of Bosnia and Herzegovina from the arms embargo imposed by Security Council resolution 713 (1991).

While we question the validity of maintaining the embargo against a sovereign State Member of the United Nations, we wish to reiterate that it is the legitimate right of Bosnia and Herzegovina to defend itself in accordance with Article 51 of the Charter. The right to self-defence is a legitimate, inalienable right. The delegation of Oman believes that it is the authority of the Charter of the United Nations that should prevail and must prevail, and that any contradiction with any of its provisions should nullify any resolution or decision that runs counter to those provisions regardless of the source of such resolution or decision. We take this position out of concern for the credibility of the Organization, and because we do not wish to see any specific resolutions create grave precedents that could undermine that credibility.

In view of the continuing Serb aggression against the Republic of Bosnia and Herzegovina, and the continuing Bosnian Serb rejection of all peace proposals, and because Security Council resolution 713 (1991) which imposed the arms embargo did not lead to the peaceful settlement and the desired stability that were the *raison d'être* of its adoption, my delegation finds itself now, more than at any other time in the past, supportive of the call for the lifting of the arms embargo. My delegation, therefore, supports the draft resolution recently put forward by the United States which is now under discussion in the Security Council, and which calls *inter alia* for the lifting of the arms embargo against Bosnia and Herzegovina. We believe that that draft resolution is moderate and well-balanced, particularly as it responds to the wise call by the President of Bosnia and Herzegovina earlier this session, to find a peaceful solution to the crisis.

While we recognize the services and the outstanding efforts of the United Nations Protection Force (UNPROFOR) in the former Yugoslavia and, in particular, in Bosnia and Herzegovina, we note that the concept of protection and the very mandate of the Force are based upon Security Council resolutions, especially resolutions 824 (1993) and 836 (1993), which define the concept and nature of protection, that is to say protection for all the areas of Bosnia and Herzegovina and not just for specific areas.

While my delegation shares the concerns expressed by several countries regarding the revised concept of "safe areas", as that new definition could impinge upon the need to protect other areas, we wish to highlight a more serious concern. That concern has to do with what is now called "the protected areas". This could give rise to scattered protected pockets and thereby impinge on the legitimacy and sovereignty of the Government of Bosnia and Herzegovina.

We therefore join others in calling for blanket protection of the entire territory of Bosnia and Herzegovina and for expanding the mandate of UNPROFOR beyond the limits of mere self-defence. The mandate should include the provision of needed assistance to the Government of Bosnia and Herzegovina to enable it to protect its own people and to effectively stand up to any attacks or crimes perpetrated by the aggressor.

As regards the situation relating to UNPROFOR, should the Security Council decide to exempt the Republic and Federation of Bosnia and Herzegovina from the arms embargo imposed by resolution 713 (1991), my delegation's view is that UNPROFOR's presence should continue and, indeed, should be increased, for this would improve the chances of finding a peaceful settlement to the conflict in Bosnia and Herzegovina. Should any troop-contributing country decide to withdraw troops from UNPROFOR, it would be sending the wrong signal to the parties and would be weakening the concerted international stand that aims at finding a peaceful solution.

By its resolution 827 (1993), the Security Council established the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. Even though the work of the Tribunal has been rather slow, yet my delegation supports its activities and hopes that those activities will demonstrate to the international community that those who would commit horrific crimes against humanity and defy international laws, conventions and norms will not go unpunished wherever they may be. My delegation supports the Tribunal and the Council's decision to name Judge Goldstone as prosecutor. Indeed, the mere existence of the Tribunal should serve as a deterrent to any who would think that such crimes could be perpetrated with impunity.

In conclusion, my delegation, proceeding from its support for the stand of the international community and the legitimate rights of the people of Bosnia and Herzegovina, has, for the second time, sponsored a draft resolution that is now before the Assembly, and that, in our view, contains positive elements.

Mr. Jerandi (Tunisia) *(interpretation from French)*: Allow me to congratulate the President yet again on the exemplary manner in which he is conducting the work of the General Assembly.

Since the General Assembly has been seized of the tragedy in Bosnia and Herzegovina, many delegations, including my own, have come to this rostrum or gone to the Security Council or to various other international and regional forums to add their voices to the appeals to the international community to take resolute and vigorous action in response to the aggression against a State Member of our Organization. Appeal followed appeal, resolution followed resolution, and now ultimatums have lost their meaning and effectiveness, and the credibility of our Organization and its capacity to respond to aggression by appropriate means have been trampled underfoot by the Serbs — that is the situation today, after three years of systematic aggression.

Pressure, condemnations, warnings, sanctions and isolation have not succeeded in convincing the Serbs to put an end to their murderous campaign and their constant breaking of promises.

On several occasions my delegation has alerted our Organization on the serious repercussions and consequences of the lack of will and decisive measures to curb the deterioration of the situation in Bosnia and Herzegovina. Each time we have emphasized that half measures send no message to the Serbs, who have chosen the abominable road of "ethnic cleansing" to bring about the disappearance of a civilization, an entire people and a State Member of our Organization.

Hence, we called for the adoption of emergency measures to guarantee the full implementation of

resolutions of the General Assembly and of the Security Council, many of which fall under Chapter VII, including, *inter alia*, Security Council resolutions 824 (1993) and 836 (1993), which call for the use of all necessary means, including military means, to protect the "safe areas".

The Charter of the United Nations and the principles of international law offer the international community a basis for the use of all means available to it to face up to this blatant aggression against a Member of our Organization, to ensure respect for the norms of international conduct, to see that justice is done for the victims and to restore to their rightful owners the lands that have been taken by force.

Nothing has really been done. What is more, we can see, unfortunately, that our Organization is caught in the trap of its own silence. As a result, if we are not careful, aggression will become commonplace and we shall simply look on, impassive and resigned, as a series of horrors continues ruthlessly to ravage that multi-ethnic, multiracial and multireligious land.

The Serbian war machine continues implacably along its route of death and devastation. Massacres and "ethnic cleansing" are increasing in ferocity. The "safe areas" are constantly violated. The personnel of the United Nations Protection Force (UNPROFOR) is attacked. Humanitarian convoys are blocked. And, finally, the whole effort agreed upon by the international community to seek an acceptable solution through the Contact Group's plan is simply doomed to failure because, quite obviously, of the constant defiance and obstinacy of the Serbs.

We continue to believe that these acts of madness could have been prevented had the international community, the Security Council, the regional institutions and individual Governments had acted in time with the necessary resolve and commitment.

Although my delegation respects and appreciates the real value of the frequent initiatives of our Organization and of certain Member States to promote the search for a peaceful solution to this tragedy, it feels that the virtue of patience — which has been shown to excess *vis-à-vis* this tragedy — should not excuse our Organization, most especially the Security Council, from its primary responsibility for the maintenance and protection of international peace and security.

Assistance operations and the provision of humanitarian aid should not be, in our view, a source of pride for our Organization unless they are accompanied by serious and effective measures that can alter the expansionist designs of the Serbs and guarantee the survival and safety of a State Member of our Organization and preserve its territorial integrity.

Mr. Idris (Sudan), Vice-President, took the Chair.

The time has come to enable Bosnia and Herzegovina to exercise fully its right, under Article 51 of the Charter, to take matters into its own hands and fight for its own survival. How long can we continue to deny the Bosniacs access to the means of protecting themselves as a nation and a sovereign people? It is unacceptable and morally reprehensible for a people to be at once disarmed and unprotected because of international inaction.

In this context, we support the United States initiative to bring this matter before the Security Council, which is the only way resolution 713 (1991) can be reviewed in relation to Bosnia and Herzegovina's right to self-defence, now that it seems not to have been possible to contain the Serbs and to have them live up to their commitments. We trust that this time firmness will prevail and that all members of the international community will be unanimous in their approach so that the aggression can be stopped and legitimacy can be restored. The credibility of our Organization and our ability to ensure respect for its Charter are at stake.

Mr. Seydou (Niger) *(interpretation from French)*: In its 11 October statement before the General Assembly during the general debate, the delegation of Niger expressed its deep concern over the situation in Bosnia and Herzegovina. Today's debate on agenda item 39 gives us an opportunity to reaffirm Niger's position on the aggression against a victim that is a Member of the United Nations — the Republic of Bosnia and Herzegovina — and to state again that the efforts undertaken thus far by the international community have not, unfortunately, been able to halt that aggression.

Niger attaches great importance to respect for the ideals and principles enshrined in the Charter of our Organization, particularly those concerning respect for the dignity of the human person and respect for the independence, territorial integrity and sovereignty of States. This is why my country cannot countenance the Serbs' violation of these fundamental principles with impunity since they took up their war of hegemony against Bosnia and Herzegovina, using in their strategy

of occupation and "ethnic cleansing" all methods condemned by the international community, methods that the world thought had been relegated to the dustbin of history.

Niger is concerned that on the eve of the fiftieth anniversary of our Organization a people can be massacred and stripped of its rights, that it can be given no appropriate international protection and that, in view of this regrettable failing, it is not given an opportunity to exercise its inherent right to self-defence, although that right is enshrined in the United Nations Charter.

Last year, in resolution 48/88, the General Assembly urged, *inter alia*, that the Security Council, in keeping with Article 24 of the Charter, ensure the restoration of the political independence and territorial integrity and unity of Bosnia and Herzegovina.

But the truth is that so far neither the resolutions of the Council nor the many initiatives of the Contact Group have been able to halt the massacre of civilians by Serbs or the siege of Sarajevo or to ensure respect for the so-called safe areas, although these were created by the Security Council itself. Instead, as if to reward the Serbs for their intransigence, the Security Council, in resolution 943 (1994), decided to ease the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

In my delegation's opinion, that decision, which was taken in haste — haste which the situation at that time did not in any way justify — will not help to lay the foundations of a just and lasting peace in Bosnia and Herzegovina. We believe that such a decision would have had merit only if the Federal Republic of Yugoslavia had accepted the internationally recognized borders of Bosnia and Herzegovina, Croatia and all the other States in the region.

My country welcomes the position taken up by the Government of the United States of America, which constitutes a clear and firm message to the Serb side. Niger once again welcomes the political courage and far-sightedness that has always been displayed by President Alija Izetbegović and supports his proposal — made right here on 29 September last — that there be a *de jure* lifting of the arms embargo imposed against the Government of the Republic of Bosnia and Herzegovina by Security Council resolution 713 (1991). That course decided upon by the Bosnian Government, far from having been chosen out of desperation, would be a fair compromise aimed at securing, at last, recognition of the victim's legitimate right to preserve its territorial integrity and sovereignty. Accordingly, it should be supported by us all.

In conclusion, I wish to say, on behalf of the delegation of Niger, that for countries such as mine, which can ensure their security only on the basis of respect for the principles of international law and the effective implementation of the resolutions of the United Nations — in particular, those adopted under Chapter VII of the Charter — the tragic experience of Bosnia is a disturbing and worrying precedent.

This precedent, which seems to put the stamp of approval on the rule of might over right, can no longer be tolerated. It is my delegation's hope that the Assembly, by providing massive support for the draft resolution before us, will clearly demonstrate its determination to fulfil the responsibility entrusted to it under the Charter in the field of international peace and security.

Mr. Snoussi (Morocco) *(interpretation from French)*: We meet to consider yet again the tragic situation that the Muslim people of Bosnia and Herzegovina are still experiencing. Since the outbreak of armed conflict in Bosnia the situation has only worsened, and the human suffering and losses have increased despite all the efforts of the international community and despite the many and varied measures taken by the Security Council, the principal United Nations organ responsible for the maintenance of international peace and security.

The impressive number of Security Council resolutions — some of them adopted under Chapter VII of the Charter — and the many presidential statements concerning the tragic situation in Bosnia and Herzegovina have not succeeded either in dissuading the Serbs from massacring Bosnian civilians or in persuading them to listen to the voice of reason and wisdom.

All the international community's efforts to preserve the territorial integrity, sovereignty and independence of Bosnia and Herzegovina have led nowhere because of the intransigence of the Serbs and their persistence in pursuing aggression against Bosnia and Herzegovina, which clearly constitutes a grave threat to international peace and security and a flagrant violation of the fundamental principles of international law. Indeed, the Serbs, flouting all the resolutions and decisions of the Security Council and defying the entire international community, have coldly and cruelly pursued their policy of occupation, "ethnic cleansing" and expulsion of

Muslims. Television and the press give us day after day good reasons to have a guilty conscience, with often vivid reporting of the continual massacres of these courageous people.

Since the beginning of this tragedy my country has unceasingly called, in every United Nations body, for full recognition of the need to enable this unarmed people to have at its disposal the necessary means to ensure self-defence and the restoration of its territorial integrity and sovereignty. To demonstrate its solidarity with the kindred Bosnian people, Morocco has always advocated the lifting of the embargo imposed on that State, which, it should be remembered, is a full Member of our Organization.

The various resolutions of the Security Council have, indeed, recognized that Bosnia and Herzegovina is a victim of Serbian aggression — aggression that it has not been possible to halt, even through the many measures taken by the Security Council. Hence the need to supplement these measures by authorizing that country to acquire the means to ensure its self-defence and to exclude it from the scope of resolution 713 (1991), which provides for an arms embargo against the whole of the former Yugoslavia with a view to avoiding any perverse impression.

The lifting of the arms embargo should be envisaged as complementary to the measures already adopted by the Security Council and the very effective and courageous action of the United Nations Protection Force. This could be the means of restoring the balance that is necessary to the success of the negotiations aimed at securing a just and lasting solution that would safeguard the territorial integrity, independence and sovereignty of Bosnia and Herzegovina.

The international community cannot allow aggression to be rewarded and a *fait accompli* to be legitimized. In this connection, Security Council resolution 943 (1994) — adopted on 23 September under Chapter VII of the United Nations Charter — which suspends, for an initial period of 100 days, some of the sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro), was not welcomed with relief by everyone, as many people consider it a hasty reward for the aggressor. It would have been better to wait for real progress in the peace process before easing the sanctions imposed on the Serbs.

The Bosnian Government, for its part, cannot indefinitely be prevented from acquiring the necessary means of maintaining its territorial integrity and of ensuring respect for its independence, or even seeking the aid that it needs for this purpose. The international community has not succeeded in helping the Bosnian Government to achieve this objective, despite the cooperation and flexibility shown throughout the conflict by that Government. In these circumstances, it remains only for the international community to authorize the Bosnian Government to acquire the means of ensuring the safety of its civilians and the recovery of its territory.

Morocco firmly supports the draft resolution before us on the lifting of the embargo. For two and a half years we have been calling for this measure to be taken by the international community. We hope that flexibility on the part of the countries still hesitating will enable us to put an end to this injustice imposed on the Bosnian Government. Without any doubt, this would help to deter the Serbs and to make them see reason and accept the plan that was presented by the Contact Group and has already been accepted by the Bosnian Government.

Moreover, the right to self-defence is enshrined in Article 51 of the Charter, which states:

> "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations".

My delegation wishes to express its appreciation for the tireless efforts made by the Secretary-General, by the two Co-Chairmen of the International Conference and by the Contact Group. We also wish to pay a heartfelt tribute to the courageous men and women of the United Nations Protection Force (UNPROFOR) and the personnel of the Office of the United Nations High Commissioner for Refugees (UNHCR) and of the other humanitarian organizations which have been helping to cope with this disaster.

Mr. Kulla (Albania) *(interpretation from French)*: I would first like to emphasize that the international community has never had any doubt regarding the origin of the conflict in Bosnia and Herzegovina or that we must speed up our joint efforts to find a solution. The conflict involves questions of the application — or non-application — of basic norms and principles, which have an impact on all the other elements of the crisis in the former Yugoslavia.

However, our biggest concern, along with the suffering caused by great human losses and incalculable material damage is the fact that this conflict involves

violations of the basic principles underlying contemporary international relations, principles that are the basis of the Charter and the Helsinki Final Act. If, through lack of resolve or ineptitude, we allow this reality to become an established fact, we shall clearly have established a precedent that is very dangerous for the Balkans and beyond and thus have allowed events to take a wrong turning.

In spite of all the talk, the many decisions, declarations and resolutions, and the various peace plans that have been drafted but never implemented, the international community is again faced with failure, as recent events show.

The situation has certainly been influenced by the lack of political will behind efforts to find solutions, by differing points of view and by the absence of prompt and firm action to enforce implementation of measures decided upon, and these factors have encouraged aggressive Serbian nationalism. It is also clear to everybody that the attitude towards the arms embargo against the former Yugoslavia was detrimental only to the victims of the conflict — the Bosnians. We welcome the initiative of the United States in putting before the Security Council a draft resolution on lifting the arms embargo against Bosnia and Herzegovina, and we urge the Council to give serious consideration to this matter.

The Serbian side's refusal to cooperate with the international community, its intransigence and its rejection of every peace plan and all decisions and resolutions led the international community some time ago to consider recourse to appropriate measures under the Charter. There have been many violations of the air space of Bosnia and Herzegovina, the safe areas and the exclusion zone around Sarajevo — as we have seen recently. All in all, the dead-end into which they have led the international community, as well as the successive violations of all the norms governing international relations, demanded more than sporadic air strikes by the North Atlantic Treaty Organization (NATO), which in fact warned rather than punished the aggressors.

Serbian rejection was also responsible for the failure of the Contact Group's efforts to find a solution to the crisis. It is abundantly clear that without the resolve of the international community, without a combination of intensive diplomacy and other relevant means, the prospects for peace are even more remote.

But there is one fundamental thing to be done — the implementation of measures already decided upon. That is the only way in which we should be communicating with those who deny the fundamental principles of international law and who arbitrarily arrogate to themselves the right to determine the fate of others. This must be the message to the aggressor; it is the only way to do justice and achieve the desired solution.

Albania unreservedly supported the establishment of the International Tribunal to prosecute those responsible for war crimes in the former Yugoslavia, and calls for its mandate to be speedily implemented. It is absolutely imperative that those responsible for "ethnic cleansing" and other abominable crimes in the territory of the former Yugoslavia be individually brought to justice and punished appropriately. This would confirm international resolve not to tolerate "ethnic cleansing" or other crimes against humanity.

The adoption of Security Council resolution 943 (1994) on easing the sanctions against Serbia and Montenegro, when it had not met the basic conditions for even discussing the lifting of the embargo, was a concession to the Milosevic regime, casting doubt on the possibility of any resolution of the Yugoslav crisis and the establishment of lasting peace throughout the region. We hope that that action was not premature and that it will bring the desired result. But it is perfectly clear to the Belgrade regime, as the party solely responsible for the aggression, as its sole inspiration and promoter, what measures it must take to bring its people prosperity and a return to the family of nations. It is clear that unless it renounces implementation of the memorandum of the Academy of Sciences of Serbia, recognizes the former Yugoslav Republics within internationally recognized borders and respects the will of the Albanian people of Kosovo we should not consider lifting the sanctions regime or bringing Serbia and Montenegro back into the family of nations.

It is widely known and generally accepted that prevention is better than cure. Prevention is also easier and — this has a bearing on one of the most burning problems facing the Organization — less expensive.

In this context I should like to recall that Kosovo, where more than 2 million people of Albanian stock live, is increasingly threatened by an outbreak of conflict. It is essential to take measures to establish an appropriate international presence there in order to prevent an even greater tragedy. It must be acknowledged that since the

expulsion of the mission of the Conference on Security and Cooperation in Europe (CSCE) nothing has been done to bring about its return, something that the international community has always favoured, and no progress has been made in improving the situation in Kosovo. On the contrary, according to reports from the CSCE troika following visits to Kosovo, the situation there is alarming, Serbian violence and repression having intensified since August 1993.

We firmly believe that the United Nations has the capacity to take preventive measures in Kosovo to avert a conflict. Action that it has not been possible to take in other parts of the former Yugoslavia must be taken swiftly in Kosovo and be effective.

Finally, I would like to express my delegation's full support for the draft resolution, which we hope will be adopted by an overwhelming majority.

Mr. Andreev (Bulgaria): The war in Bosnia and Herzegovina is one of the most serious conflicts of the present day and as such it represents a challenge to the United Nations at the end of the twentieth century. It is of vital importance for my country, a neighbouring State of this troubled area, that a speedy, lasting and just solution be found on the basis of a mutually acceptable agreement, without any negative consequences for the future of the region.

It is obvious that in order to achieve this goal a decisive step has to be taken to put an immediate end to the war. All parties to the conflict should make the necessary compromises to this end. The cessation of hostilities should be effected without delay, for it is hardly possible to imagine any fruitful political decision being implemented in the absence of this precondition. Bulgaria will continue to support the endeavours of the international community in this direction.

The war in Bosnia and Herzegovina has revealed many important and complex problems the solution of which will, in our opinion, influence the approach of the United Nations to similar situations that may arise — although this is not to be desired — in the future.

First, we have been witnessing the abhorrent practice of "ethnic cleansing" in Bosnia and Herzegovina. Bulgaria regards this practice as unacceptable and is of the view that it will constitute a precedent with unforeseeable consequences, not only for the new States which have emerged on the territory of former Yugoslavia but for the Balkans as a whole. If this process were left without any reaction from the international community, it would amount to silent acceptance of the policy of *fait accompli*. It would also mean condoning the acquisition of new territories by military force. Bulgaria could hardly champion that.

Secondly, we believe that the conduct of all countries neighbouring the zone of conflict should be conducive to its settlement. With the benefit of our historical experience, we have called upon all Balkan countries not to participate with military force in any hostilities in former Yugoslavia. For our part, we went even further by declaring that we would not be involved in any military activities on the territory of former Yugoslavia, either directly or indirectly, or even under the auspices of the United Nations. Let me assure the Assembly that this is not because of a lack of support for the efforts of the Organization. It is our knowledge of the history of the region and our desire to contribute to the peace process that determines the position I have just set forth. For this reason, we have also stated that we are against the formation of any kind of axis in the region, which we regard as a practice of the past.

Thirdly, we are concerned at the possibility of a spillover of the conflict to other areas or countries in the region, especially to the south-east. Peace is quite fragile there, and for this reason we support full recourse to the instruments of preventive diplomacy. Therefore we view the presence of the United Nations Protection Force (UNPROFOR) in Macedonia as a good example, for it serves as a stabilizing factor that helps to localize the conflict and prevent its possible spillover.

Bearing in mind my country's position of principle of supporting all international efforts aimed at finding a solution to the conflict, Bulgaria has welcomed the cooperation of this Organization, the North Atlantic Treaty Organization (NATO), the European Union, the United States of America and the Russian Federation to this end. Even more important, it is a clear signal that when the international community takes active and coordinated steps, mutually acceptable solutions can be found.

The signing of the Washington Agreements was an important act in the positive process of resolving the conflict. We hope that the process will be completed despite the difficulties.

On these lines, we endorse the important role of the peace-keeping forces under the auspices of the United Nations. At the same time, in deciding on the problem of the composition of UNPROFOR we should take into consideration the need to increase its personnel, in accordance with Security Council resolution 900 (1994), as well as the prospects for future stability in the region; we must avoid fostering an environment conducive to increasing suspicions and mutual claims, which would give rise to new "cold" or to "hot" conflicts.

Bulgaria declared its support for the peace plan of the Contact Group. We consider it a good basis for compromise in the search for a peaceful solution to the conflict. The refusal of the Bosnian Serbs to accept the plan may turn out to be the obstacle on the way to achieving peace in the region, and we think that their leaders must bear an enormous responsibility in that respect. Once again we call upon them to accept the proposals of the Contact Group, which will open prospects for reviving cooperation in the region and will help the Balkan States to be gradually integrated into the European processes and structures.

At the same time, Bulgaria continues to express the hope that the members of the Contact Group, and especially the permanent members of the Security Council, will carefully weigh the pros and cons of lifting the arms embargo *vis-à-vis* the Government of the Republic of Bosnia and Herzegovina. The influx of new weapons may lead to an escalation of the hostilities in Bosnia and Herzegovina and to their possible spread to other, neighbouring territories.

As a result of the good cooperation between the members of the Contact Group, we have recently noted some encouraging elements in the position of the Federal Republic of Yugoslavia (Serbia and Montenegro) regarding the conflict in Bosnia and Herzegovina. The deployment of international observers along the border of the Federal Republic of Yugoslavia and the territory of Bosnia and Herzegovina under the control of the Bosnian Serbs made it possible to suspend the sanctions partially. This is considered to be a positive step on the way to the complete lifting of the sanctions, which are placing such a heavy burden on the economy of my country.

In conclusion, I should like once again to state that Bulgaria is ready to contribute to the efforts of the international community in the process of finding a lasting and peaceful solution to the conflict in Bosnia and Herzegovina.

Mr. Kovanda (Czech Republic): The developments in the Republic of Bosnia and Herzegovina have caused anguish in the Czech Republic from the very beginning of the war. The feelings of the Czech people have been repeatedly expressed in numerous statements by President Vaclav Havel and Foreign Minister Josef Zieleniec, and in this very Hall as well as in the Security Council. They have also been expressed in the Czech Republic's contribution of almost 1,000 men to the United Nations Protection Force (UNPROFOR), and in its long-standing readiness to have a Unit transferred to the Bosnian theatre. Even more telling perhaps are private efforts of Czech citizens who have sent truckload after truckload of relief to the people of Bosnia and Herzegovina.

Nobody can therefore doubt the motives that inform the policies of the Czech Republic. We have steadfastly supported the unity and territorial integrity of the Republic. We have welcomed the creation of the Federation. We have cried out against "ethnic cleansing". Czech authorities have throughout maintained high-level contacts with the leadership of the Republic of Bosnia and Herzegovina.

We are encouraged by a number of positive developments that have taken place in the Republic of Bosnia and Herzegovina since we spoke in this forum a year ago. The creation and step-by-step consolidation of the Federation of Bosnia and Herzegovina, between the Bosniac and the Croat areas of the country, has far-reaching consequences. On the military side, it has led to the end of fratricidal fighting. On the humanitarian side, it has improved the situation of thousands who a year ago had been trapped in the despair of Mostar and other places. On the political side, it has demonstrated that the principle of coexistence of differing ethnic groups is not dead even in these most cruelly trying circumstances.

The Federation remains open to Serb-controlled areas of the Republic, but has had the effect of a greater isolation of these areas. Their self-proclaimed leaders can no longer exploit differences between Bosniacs and Croats.

The isolation of the Bosnian Serbs was, however, deepened even further when the Federal Republic of Yugoslavia (Serbia and Montenegro) accepted the Contact Group's plan and closed off its borders with the Republic of Bosnia and Herzegovina. It is precisely in continuing and strengthening the isolation of the Bosnian Serbs that

we now see the best way out. That is why this past September the Czech Republic supported not only Security Council resolution 941 (1994), which yet again condemned "ethnic cleansing" and related phenomena in much the same language as today's draft resolution does, but also co-sponsored Security Council resolution 942 (1994), which tightened the sanctions on the Bosnian Serbs. In a day or two, the Security Council will receive another certification from the Co-Chairmen of the International Conference on the Former Yugoslavia (ICFY) about the results of the border-monitoring process. So far, we have heard nothing substantive that would cast doubts on the seriousness with which the Federal Republic of Yugoslavia is keeping the border closed. But let me reiterate that the isolation of the Bosnian Serbs is not an end in itself. Rather, it is an exercise directed at forcing them to accept the Contact Group territorial arrangement for the Republic of Bosnia and Herzegovina.

Six weeks ago, during the discussion of the resolutions we have mentioned, we made a point that my Foreign Minister also reiterated during this year's general debate: one of the most useful next steps for settling the situation in the former Yugoslavia would be the mutual recognition of the several States in the area, within their internationally recognized borders. And one side effect of the sealing of its border with the Republic of Bosnia and Herzegovina by the Federal Republic of Yugoslavia is that it amounts to a de facto recognition of at least the border that those two States share. Surely *de jure* recognition should follow without further delay.

The points I have made so far indicate the great sympathy that my delegation has for the issues dealt with in the draft resolution before us. Nevertheless, even if we agreed with every single one of its other numerous paragraphs, we would still have difficulties with operative paragraph 22. They are procedural, technical and substantive.

First, with regard to the procedural difficulty, the Security Council, too, is about to discuss a draft resolution concerning lifting the arms embargo against the Republic of Bosnia and Herzegovina. The discussion will be a very earnest one, and I would not want to anticipate its outcome. Nevertheless, as a member of the Security Council, the Czech Republic does not wish to bind itself in advance of that discussion, even if only morally, by voting in favour of a draft resolution in the General Assembly calling on the Security Council to reach a specific outcome.

Secondly, there is a technical difficulty. The Czech Republic does not believe it helpful for the Security Council to take a binding decision to apply a particular measure at a specific time in the future. Recently we made this point when debating the continuation of sanctions imposed on Iraq. At that time, too, we did not think it wise for the Council to take a binding decision, with whatever conditionalities might be attached, on a specific course of action to be taken six months later. We did not think it wise then, we do not think it wise now.

Thirdly, with regard to the substantive difficulty — which we consider most important — my Government does not believe that lifting the arms embargo would improve the overall situation. This situation in the Republic of Bosnia and Herzegovina cannot be viewed in isolation. And it is our opinion that the situation in the region as a whole would deteriorate. We fear that fighting would escalate throughout the Republic of Bosnia and Herzegovina, that it would engulf many United Nations protected areas in Croatia, that it would jeopardize the United Nations Protection Force (UNPROFOR) and interrupt humanitarian assistance.

For all those reasons, my delegation will abstain in the vote on the draft resolution.

Mr. Taher (Bangladesh): Bangladesh's position on the situation in Bosnia and Herzegovina has been consistent and categorical. We are deeply committed to strengthening all efforts towards a negotiated settlement aimed at restoring peace to the entire territory of Bosnia and Herzegovina and preserving its territorial unity and integrity within its internationally recognized borders, including all occupied areas.

We cannot but strongly underscore that what is at stake is the fate of not only Bosnia and Herzegovina but also all weaker and smaller States Members of this great Organization. At issue here is the very credibility of the United Nations, and particularly that of the Security Council, in upholding the immutable principles of the Charter — in this case, the sovereignty, political independence and territorial integrity of a sovereign Member of the United Nations, and particularly that of the inadmissibility of the acquisition of territory through the use of force. Respect for human rights and the sanctity of borders are also integral elements in these principles and in the search for any lasting political solution. It goes without saying that Bangladesh fully reaffirms the rights provided in the United Nations Charter and, particularly applicable in the present case of

Bosnia and Herzegovina, the inherent right of self-defence under Article 51 of the Charter.

The current situation in Bosnia and Herzegovina remains one of deep concern, especially in the wake of its past history and the continuing prevalence of unprovoked armed hostilities, indiscriminate acts of bombing and the use of poisonous gases, the strangulation by siege of major cities, safe areas and exclusion zones and violations of international humanitarian law tantamount to genocide. No one can doubt that the objective was nothing less than the systematic dismemberment of a country which is a sovereign, independent Member of the United Nations.

We have welcomed efforts by the Security Council and the Contact Group to create the groundwork for a peaceful settlement in difficult circumstances, including cease-fire arrangements and deterrent measures. We cannot but be conscious, however, that the responses to the evolving situation have often been too little and too late. They have been characterized by hesitation, *ex post facto* rationalization, piecemeal and ad hoc responses, lack of anticipation and lack of political will to implement decisions taken. Such an approach has in no way deterred, but indeed encouraged, the Serbs in their continued encroachment on territory, calculated duplicity and bypassing of agreements. Violations of the cease-fire, unprovoked attacks on United Nations Protection Force (UNPROFOR) personnel and the tightening of the siege of Sarajevo continue. The aim of enforcing the comprehensive cessation of the hostilities and of extending safe havens all over Bosnia and Herzegovina is far from being realized. Human misery and suffering continue on an unprecedented scale, with thousands of refugees and displaced persons.

Through its resolutions the General Assembly has sought to serve as the conscience of humanity in approaching remedial solutions. There continues to be a large variance between the gauge established by the Assembly and actions taken by the Council. It is vitally important for the Security Council to take purposeful remedial action on all fronts in a concerted and coordinated manner, be the measures political, military, legal, economic or humanitarian.

It is in this context that Bangladesh would like to highlight what it considers to be the indispensable elements for moving towards a resolution of the problem.

First and foremost, we have all repeatedly reaffirmed the need to preserve and protect the territorial integrity and political independence of Bosnia and Herzegovina. All Serbian-controlled parts of Bosnia and Herzegovina must be reintegrated into the rest of the country. Efforts to integrate occupied areas under any form of control or administrative system of the Federal Republic of Yugoslavia contributing to de facto occupation must be rejected as illegal. Similarly, all actions and declarations made under duress are null and void, especially with regard to property and land ownership.

Secondly, the Federal Republic of Yugoslavia must actively demonstrate its *bona fides* by overt acts of restitution. Its declared support for the Contact Group peace proposal must be substantiated by its readiness to mutually recognize Bosnia and Herzegovina; to comply with relevant resolutions of the Security Council, including cessation of any military or logistic support to the Bosnian Serbs; to respect the territorial integrity of Bosnia and Herzegovina; and to stop and reverse the efforts to integrate occupied areas into the fold of its own authority. Failure to conform to these fundamental measures must immediately lead to the termination of the partial suspension of sanctions against the Federal Republic of Yugoslavia.

Thirdly, Bangladesh has always strongly supported the lifting of the arms embargo against Bosnia and Herzegovina, consistent with guarantees laid down for all States in Article 51 of the Charter. In this regard, we welcome the compromise offer of the Republic of Bosnia and Herzegovina to seek *de jure* lifting of the arms embargo, with effective application deferred up to six months. It is our considered opinion that in the absence of sustained pressure on both the Federal Republic of Yugoslavia and the Bosnian Serbs progress towards a peaceful settlement will remain a pious wish.

Fourthly, we strongly support the safeguarding and extension of the exclusion zones so that the whole of Bosnia and Herzegovina can be declared a safe haven.

Fifthly, we believe that it is important that UNPROFOR be strengthened, not only in numbers, but also in terms of its specific mandate to deter aggression, protect exclusion zones and check unlawful access of goods and contraband materials along the border with the Federal Republic of Yugoslavia. Unimpeded access of United Nations and UNPROFOR personnel must be accorded in all areas of Bosnia and Herzegovina, especially to check and stop "ethnic cleansing" and the persistent campaign of terror that is continuing.

Sixthly, on the humanitarian front all efforts must be undertaken to facilitate the unhindered flow of humanitarian assistance, particularly in the safe areas, and measures for the restoration, rehabilitation and reconstruction of Bosnia and Herzegovina. Immediate steps must be taken to open Tuzla airport. Detention and concentration camps established by the Serbs must be dismantled and free access be given to the International Committee of the Red Cross and humanitarian institutions to check the welfare of all persons imprisoned in such camps. All refugees and displaced persons must be assured the right to return to their homes voluntarily in safety and dignity.

Finally, Bangladesh welcomes the establishment of the International Tribunal for the prosecution of war crimes committed in the territories of former Yugoslavia. We also fully support the call on the Federal Republic of Yugoslavia, in the wake of the Order of the International Court of Justice, to take all measures within its power to prevent the commission of the crime of genocide.

The international community's prime objective is to assist the parties to reach a negotiated settlement acceptable to all sides. In view of the long history of duplicity and back-tracking by the Bosnian Serbs and by the Federal Republic of Yugoslavia, we believe that pressure must be maintained and intensified. Failure to move forward must be accompanied by steps to reinforce sanctions, to enhance and expand exclusion zones and to lift the arms embargo.

Bangladesh fully supports draft resolution A/49/L.14/Rev.1 and is happy to be a sponsor.

The President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/49/L.14/Rev.1.

I should like to announce that the following countries have become sponsors of the draft resolution: Antigua and Barbuda, Eritrea, Kyrgyzstan, Mali and Yemen.

Several representatives wish to make statements in explanation of vote before the vote. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Sidorov (Russian Federation) *(interpretation from Russian)*: The delegation of the Russian Federation cannot support draft resolution A/49/L.14/Rev.1 on the situation in Bosnia and Herzegovina, owing to the document's one-sided and unbalanced character and its failure sufficiently to reflect the complexity of the situation.

Our debate on the draft resolution has been held against the background of a renewal of the dangerous situation in Bosnia and Herzegovina and intensified large-scale violence on the part of the Government forces. It should be noted that the crimes perpetrated by those forces in Bosnia and Herzegovina in the area of Bihac is an open challenge to the decisions of the Security Council in resolution 913 (1994), which, in paragraph 4, called for

> "an end to any provocative action by whomsoever committed in and around the safe areas".

We cannot but express concern at the mass exodus of the civilian population in the region, nor can we ignore the worsening situation in and around Sarajevo as a result of the constant violations of the demilitarized-zone regime by the Government of Bosnia and Herzegovina. There is every reason to fear that if this dangerous trend is not stopped, there will inevitably be a flare-up of large-scale civil war in Bosnia and Herzegovina that will destroy all hope for a peaceful settlement.

Because there is such a threat, the draft resolution should contain a demand that all the parties in Bosnia cease any military activity; it is precisely the lack of this provision — which was included in last year's resolution — that prompts reflection.

Instead of including such a provision, the whole blame for the situation in Bosnia and Herzegovina is put, as usual, on the Bosnian Serbs. Of course, we are not minimizing the responsibility of the Bosnian Serb party for the dangerous developments of events in Bosnia and Herzegovina, as well as their refusal to adopt the map of territorial settlement contained in the Contact Group's proposal. But neither can we close our eyes to the fact that there are good reasons to bring serious complaints against the other Bosnian parties not only for the provocative and aggressive actions I have already mentioned but also for the flagrant violations of human rights and harassment of minorities which are very reminiscent of the practice of "ethnic cleansing" condemned by the international community.

The fact that the draft resolution ignores the new realities of the situation in the Yugoslav settlement

process, which have gained international recognition — first and foremost in the Security Council's decisions — is startling. We are thinking, of course, of the closing by Belgrade of the frontier with Bosnia and Herzegovina. Incidentally, in the context of an effective and controllable implementation of this draft resolution, we cannot but be surprised at the contents of paragraph 15 of the draft resolution, concerning the so-called activities taking place "to achieve integration of the occupied territories" into the administrative and other systems of the Federal Republic of Yugoslavia.

A number of the provisions in the draft resolution in general have nothing to do with the subject of this particular agenda item. For example, paragraph 12 raises questions that come under the internal jurisdiction of another State and are unsuitable for consideration at the United Nations. Something else that is puzzling is the wording used to describe the situation in Bosnia and Herzegovina as "aggression" and the areas under Bosnian-Serb control as "occupied territories".

As to the requests to raise the embargo on arms supplies to Bosnia and Herzegovina, I would like to emphasize that Russia, in complete accordance with the Geneva Communiqué from the Ministers of Foreign Affairs in the Contact Group, 30 July 1994, sees this step as extremely undesirable. Its implementation at this point would have extremely negative consequences for a political settlement, for the United Nations peace-keeping operations and for a continuation of the provision of humanitarian aid to the population of Bosnia and Herzegovina.

In accordance with what I have said, the Russian delegation will refrain from voting on the draft resolution as a whole; if several paragraphs in the draft, particularly paragraphs 12, 15, 22 and 23, were to be put to a separate vote, our delegation would vote against them all.

In conclusion, allow me to recall that, from the beginning of the crisis in the former Yugoslavia, Russia has played an active role in the international community's efforts to promote a political settlement to the Bosnian conflict. Our premise continues to be that the United Nations steps must be directed towards supporting the peaceful efforts of the Contact Group to bring the parties to accept the Group's proposals. We continue to be convinced that these proposals, together with the relevant resolutions of the Security Council, are a realistic basis for a stable, peaceful settlement based on the principles of justice, impartiality and equal rights for all parties.

Mr. Mongbe (Benin) *(interpretation from French)*: Benin and its delegation unreservedly condemn any act of barbarity and any violation of human rights anywhere in the world; such acts and violations have been visited upon the Bosnian people every day for the last three years. "Ethnic cleansing" is an odious practice that cannot be tolerated by any responsible Government. Benin is for an immediate and lasting peace but not a peace built on cemeteries.

That is why we welcome the peace plan produced by the Contact Group and supported by all of the international community. My delegation welcomes the noble and courageous decision of the Government of Bosnia and Herzegovina to accept this plan, which is a serious basis for restoring peace and security not only in this martyred country but also in the Balkan region as a whole. My delegation finds it difficult to understand the rejection of the peace plan by the Bosnian Serbs and condemns this attitude, which is, to say the least, dangerous. How will the Bosnian Serbs be able to carry out political negotiations with the other interested parties, if they maintain such irascible obstinacy? Benin is relieved to hear of the decision by the Belgrade authorities to accept the peace plan and to close the frontiers of their country with a view to respecting the arms embargo decided upon by the Security Council in its resolution 713 (1991).

The task of the United Nations under the Charter is to promote peace, not to bring together all the ingredients to encourage war. This is why, while we subscribe in general to the provisions in draft resolution A/49/L.14/Rev.1, our delegation cannot support the idea contained in paragraph 22, encouraging

> "the Security Council to give all due consideration and exempt the Governments of the Republic and Federation of Bosnia and Herzegovina from the embargo on deliveries of weapons and military equipment".

My delegation urges the sponsors to measure all the consequences of this paragraph. Its implementation would lead to an increase in the perilous flow of arms and would make of the Balkans, alas, an infernal powder-keg once again. And what about the fate of the personnel of the United Nations Protection Force in the Republic of Bosnia and Herzegovina if weapons were to enter as freely as the paragraph I have just referred to implies?

The situation remains explosive in that country. Nothing has really changed since the Security Council's adoption of resolution 713 (1991). The peoples of these new States are suffering and will go on suffering even more if our Assembly, which has not yet regained its full credibility, goes ahead and raises the arms embargo as specified in the draft resolution. Let us not be blinded. Let us not get carried away by any considerations other than those that are likely to help free the populations of Bosnia and Herzegovina from the torments of war, from horror, and from crimes of every sort.

Benin reiterates its position, already expressed in this Hall by its Minister for Foreign Affairs and Cooperation on 30 September last, that, faced with the intransigence of the Bosnian Serbs, the international community must ensure the protection and defence of the sovereignty and the territorial integrity of Bosnia. That certainly will not be accomplished by escalating hostilities or authorizing rearmament.

Benin states again its support for the establishment of an international tribunal to bring to trial those who have committed crimes related to the practice of "ethnic cleansing" and other massive human-rights violations.

In a word, my country is in favour of a peaceful solution to this conflict, which has gone on for too long. It should therefore be easy to understand that the delegation of Benin cannot but abstain in the voting on draft resolution A/49/L.14/Rev.1.

Mr. Karsgaard (Canada): Canada's deep concern for the plight of the Bosnian people and our commitment to a peaceful solution to the conflict are well known. While we support most of the views expressed in the draft resolution, Canada is not in a position to vote for a draft resolution that calls for a lifting of the arms embargo on the Government of Bosnia and Herzegovina. We, like Bosnia, desire a speedy resolution to the conflict, but we must point out that the best hope for a durable and peaceful end to the conflict remains the Contact Group's peace plan. The status quo is not an acceptable solution.

We are encouraged by recent positive steps, including the decision by the Federal Republic of Yugoslavia (Serbia and Montenegro) to close its border with the Bosnian Serbs and to allow monitoring of this decision. We must allow more time for sanctions and other non-violent measures to convince the Bosnian Serbs that accepting the Contact Group plan is in their best interest.

The Security Council decided to impose an arms embargo on all of the former Yugoslavia in 1991 because it believed that reducing the arms supply would help lower the level of hostilities and enable avenues for a peaceful settlement to be pursued. This analysis remains as valid today as it was then. Allowing more and heavier weapons to come into Bosnia would lead to a greater loss of life. It would make it impossible for the United Nations Protection Force (UNPROFOR) to deliver humanitarian assistance to the desperate people in Bosnia and would force countries such as Canada to withdraw their troops.

Canada remains firmly committed to helping the people of Bosnia come to a peaceful solution to the conflict, but we cannot endorse any draft resolution that would lead to an increase in fighting and loss of life. For these reasons, Canada cannot support the draft resolution and will abstain in the voting.

Mr. Laptsenok (Belarus) *(interpretation from Russian)*: The Republic of Belarus is extremely concerned at the recent complications in Bosnia and Herzegovina. However, we start from the premise that military measures will not help stabilize the situation in the Balkans and could have unforeseeable consequences.

In this connection, we cannot support the proposal to lift the arms embargo on Bosnia and Herzegovina, since such a step would lead to a further escalation of hostilities, threaten the whole negotiating process and give rise to conditions that could spread the conflict beyond the frontiers of Bosnia and Herzegovina. We would like, if possible, to achieve a political settlement of the conflict.

Bearing all that in mind, my delegation will abstain in the voting.

The President: The Assembly will now begin the voting process.

I put to the vote draft resolution A/49/L.14/Rev.1. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Fiji, Gabon, Guatemala, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Yemen

Against: None

Abstaining: Andorra, Angola, Argentina, Armenia, Australia, Belarus, Belgium, Belize, Benin, Brazil, Bulgaria, Burundi, Cameroon, Canada, China, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Iceland, India, Ireland, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malawi, Malta, Mexico, Monaco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Slovakia, South Africa, Spain, Swaziland, Sweden, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Zambia, Zimbabwe

Draft resolution A/49/L.14/Rev.1 was adopted by 97 votes to none, with 61 abstentions (resolution 49/10).

The President: We shall now hear those representatives who wish to explain their vote on the draft resolution just adopted.

May I remind delegations that statements in explanation of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Albin (Mexico) *(interpretation from Spanish)*: The situation in Bosnia and Herzegovina has caused great concern in the international community. The General Assembly has tackled the question on three occasions, but unfortunately no solution to this difficult and complex conflict has been found. We regret that the sad fate of this Member State of the United Nations has not been relieved. Indeed, there have been new outbreaks of armed violence.

For the Government of Mexico, the persistence of human-rights violations, "ethnic-cleansing" policies and acts of aggression designed to acquire territory by the use of force undermine the very basis of civilized relations between nations and cause a worsening in relations between peoples. Mexico also would reject any action that would limit the political independence, territorial integrity, self-determination, indeed the very sovereignty, of the Republic of Bosnia and Herzegovina.

We join in strongly appealing to all the parties directly or indirectly related to the situation in Bosnia and Herzegovina to seek a solution to the conflict in good faith.

The aggression and violence, which have made the living conditions of millions of human beings intolerable, must come to an end. Political dialogue and understanding, the best way to achieve peace, must prevail over the horrors of war. We therefore support all political and diplomatic efforts to achieve a definitive solution to the problems of Bosnia and Herzegovina.

The resolution the General Assembly has adopted today has numerous elements that we support and fully endorse. My delegation abstained in the voting, however, because we believe that the text also contains provisions that are at variance with the letter and spirit of the United Nations Charter. Mexico's abstention on this resolution is a statement in favour of a solution based not on considerations of expedience, but on the principles of the Charter thus guaranteeing a secure, permanent peace in Bosnia and Herzegovina.

Mr. Francis (Australia): Australia is appalled that fighting continues in Bosnia and Herzegovina, adding further to the suffering of innocent civilian populations there. We support the calls contained in this resolution for an end to this violence and to the violations of human rights, including the practice of "ethnic cleansing", whoever the perpetrator might be, and for the restoration

of peace and stability to the country and to the region as a whole.

For these reasons, we should have liked to vote in favour of the resolution, as we did at the forty-seventh and forty-eighth sessions of the General Assembly. However, Australia has reservations about the wisdom at this time of lifting the arms embargo as it affects the Government of Bosnia and Herzegovina and the Federation. The Contact Group has acknowledged that such a lifting may be unavoidable, but as a last resort. We do not believe that that time is yet upon us. Other avenues to end the conflict are still being explored by the Contact Group. In addition, new pressure now being applied on the Bosnian Serbs, which we hope will be maintained, should be given time to have its effect.

We recognize, as do many others here today, that a decision to lift the arms embargo would very likely bring to an end the current initiatives aimed at facilitating a peaceful settlement of the conflict in Bosnia and Herzegovina. Lifting the arms embargo would, in particular, have very serious implications for an intensification of hostilities, for the continued presence of the United Nations Protection Force and for the humanitarian relief effort in the country.

We strongly support the actions taken today by the international community and the Security Council to bring to an end the fighting in Bosnia and Herzegovina. We strongly urge that those efforts be continued. Above all, Australia wishes to see a peaceful, negotiated solution to this tragic conflict. For these reasons, we were compelled to abstain in the voting on this resolution.

Mr. Cárdenas (Argentina) *(interpretation from Spanish):* I should like to explain the position of the Argentine Republic in the voting on the resolution, contained in document A/49/L.14/Rev.1, which the General Assembly has just adopted.

My country generally supports all the initiatives of our Organization aimed at reaffirming the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina, which we are determined to see respected.

The current diplomatic position, undermined by the Bosnian Serbs' regrettable rejection of the Contact Group's peace plan, has made it necessary for the international community to reaffirm its determination to contribute to a peaceful settlement to the conflict.

Today we are faced with a situation in which one side — that of the Bosnian Serbs — is continuing to promote an ethnic, fratricidal war rather than devote itself to achieving a settlement with the international guarantees which our Organization could offer. We therefore urge that side once again to reconsider the matter and work with the international community to put an end to aggression. The grave violations of human rights and international humanitarian law in Bosnia and Herzegovina have disturbed, and continue to disturb, international public opinion. To deal with them, the International Tribunal on the matter will soon become a cornerstone of the effort to restore justice. In the present delicate security situation, we would once again appeal for respect for the cease-fire and the safe areas.

Not all the indications are negative, however. I refer in particular to the measures recently adopted in connection with the partial closing of the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro). We believe that these measures, if pursued, will contribute to the gradual achievement of peace in the region.

The Argentine Republic supports the basic principles contained in the resolution just adopted on the situation in Bosnia and Herzegovina and considers them to be fair. Nevertheless, we regret that we were unable to support the resolution, in part because of the specific recommendation in operative paragraph 22. After a thorough consideration and assessment of the various options proposed for achieving the desired objectives, we believe the measure would not contribute to a settlement of the conflict. We believe that the partial lifting of the arms embargo imposed by Security Council resolution 713 (1991) on the whole of the former Yugoslavia would not help to achieve peace and security in the region.

We also believe that this measure would to a certain extent imply an assessment that diplomatic efforts had proved to be in vain. Moreover, the risks of an escalation of the conflict cast a shadow not only over the future of the long-suffering population of Bosnia and Herzegovina, but also over the United Nations Protection Force (UNPROFOR) as it strives to fulfil its mandate.

I would point out here that, as in all other peace-keeping operations, the principle of neutrality is one of the fundamental guidelines for troop-contributing countries. On that understanding, States that provide troops to UNPROFOR have done so, and will continue to do so, with the clear intention of contributing to the

maintenance of peace and security in the region, generously and with no desire to take sides in the conflict. The mandate and composition of UNPROFOR are, moreover, the result of a very delicate balance, which circumstances suggest should be maintained. It is a question of recognizing and duly assessing the positive effects of the peace-keeping effort there, which cannot be minimized.

We basically agree with the Secretary-General's judgement, contained in document S/1994/1067 — a report produced in the context of the most recent renewal of UNPROFOR'S mandate — that a measure such as that recommended in paragraph 22 of the resolution would change — in our opinion substantially — the nature of the United Nations presence in the area and imply unacceptable risks to the Force.

Mr. Chirila (Romania) *(interpretation from French):* My delegation abstained in the voting on draft resolution A/49/L.14/Rev.1, because of similar and even identical concerns to those already mentioned, particularly by the representative of Germany, on behalf of the European Union.

I am referring in particular to paragraph 22 on lifting the embargo on deliveries of weapons. Romania is a neighbour of the former Yugoslavia, and has always, in its capacity as member of the Security Council until 1992, and elsewhere, advocated a political settlement to the conflict in the former Yugoslavia in general and Bosnia and Herzegovina in particular. The economic sacrifices my country faithfully agreed to make, under the sanctions imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), are well known. We are doing our very best to use our good relations with all the States of the former Yugoslavia to encourage and establish a lasting political settlement on the basis of the participation of all parties involved and the parallel contribution of all those who have committed themselves to facilitating the process.

This is a particularly critical time. In our view, there are two alternatives: either a speedy end to the stalemate in the search for a political settlement or playing for time and accept responsibility for any potential rise in tension and confrontation. The extension of the mandate of the United Nations Protection Force (UNPROFOR) until 31 March 1995 should not be seen as a breathing space. Every effort must be made by the parties directly concerned, and by those who are called upon to contribute to the search for a peaceful settlement, to define and implement an overall approach acceptable to all sides in order to ensure that the Bosnian Serbs agree to the territorial settlement proposed by the Contact Group and to bring the three parties to the negotiating table.

In this context, the parallel process initiated by Security Council resolution 943 (1994) for the gradual lifting of the economic sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) should be continued, while keeping the latter's conduct very much in mind.

More than ever before, the elements that can bring the parties closer together should be emphasized; this should encourage those who are showing the true political will to ensure that peace and a political settlement among the parties in Bosnia and Herzegovina will prevail.

Mr. Keating (New Zealand): Since the Assembly last addressed the situation in Bosnia and Herzegovina, a number of important developments have taken place. The Bosniac and Croat communities in the Republic have resolved their political differences and have formed a Federation. The North Atlantic Treaty Organization (NATO) air power, authorized by the United Nations, has stopped the worst of the bombardment of Sarajevo and attacks on the other safe areas. The member nations of the Contact Group have devised a peace plan for Bosnia and Herzegovina which has been accepted by all parties except the Bosnian Serbs. The authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have closed their border with Bosnia so as to isolate the recalcitrant Bosnian Serbs, and as a result, some of the measures imposed on Belgrade have been suspended. The Yugoslavia war crimes Tribunal is now established.

These changes have come about because of the determination and commitment of the international community. They constitute a significant improvement in both the material and the political situation of the beleaguered citizens of Bosnia. But they fall far short of what we would have hoped to see 12 months ago. The resolution on which we have just taken action, in its reiteration of provisions from last year, reminds us just how much still has to be achieved: firstly, the restoration and reconstruction of Sarajevo; secondly, the opening of Tuzla airport; thirdly, full implementation of the safe areas; fourthly, redress of the consequences of "ethnic cleansing"; and, fifthly, the return of refugees and displaced persons.

More fundamentally, the resolution records and rightly condemns the refusal of the Bosnian Serbs to negotiate within a framework which takes as its starting-

point the territorial integrity of Bosnia and Herzegovina. It is at this level that we are no further ahead this year than last. By clinging to outmoded and repugnant concepts of ethnic purity, the Bosnian Serbs are condemning themselves to a state of banishment. There is indeed a depressing familiarity about their continued refusal to acknowledge that their political future cannot be determined in isolation from that of the other communities in Bosnia. The Bosniacs and the Croats have acknowledged this through the establishment of a Federation and their endorsement of the peace plan put on the table by the Contact Group. The Bosnian Serbs must do likewise.

The means to ensure that the Bosnian Serbs do turn round is the nub of the challenge the United Nations faces. The international community now has a range of measures at its disposal, diplomatic, economic and military. These measures have two characteristics in common: first, they are collective, and second, they are sanctioned by the United Nations. That means that they carry the full weight of the international community.

This cannot be said of the provision in the resolution that encourages the Security Council to exempt the Governments of the Republic and Federation of Bosnia and Herzegovina from the arms embargo imposed on the former Yugoslavia in 1991. For the Council to take such a step would be to move away from collective action. There may come a time when there is no alternative to such a step. When that time comes, it would mean that the United Nations as such, in terms of the collective security provisions of the Charter, no longer had a role.

New Zealand does not believe that that time has come, nor will it be welcome if it does, because it will mean an abandonment of peacemaking and a recourse to the verdict of war. Now is the time to redouble efforts in the search for a political settlement, not to signal a return to general warfare. For this reason, New Zealand abstained in the vote on the draft resolution.

Mr. Ponce (Ecuador) *(interpretation from Spanish)*: The solidarity of the people and the Government of Ecuador with the long-suffering people of Bosnia and Herzegovina and the need to preserve the territorial integrity of States has prompted my delegation today to vote in favour of the resolution that has just been adopted.

However, we would like to point out that the complicated peace process has in the past few months made considerable progress, which the international community must acknowledge. This progress has been made possible thanks to the flexibility of all the Governments that are parties to the conflict. Hence, Ecuador has doubts about the desirability of adopting decisions, such as the lifting of the arms embargo, which might reignite the conflict and make a final settlement even more remote.

With this conviction, had paragraph 22 been put to a separate vote my delegation would have abstained.

The President: One representative has requested to speak in exercise of the right of reply. May I remind members that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention, and should be made by delegations from their seats.

Mr. Sacirbey (Bosnia and Herzegovina): After the lengthy day all of us have had, and with my sincere thanks to all my colleagues, I shall certainly refrain from exceeding the imposed time-limit.

The statement made in this debate on behalf of the European Union, while once again repeating the Union's opposition to the lifting of the arms embargo, endorses a new set of guidelines as an alternative not only to the lifting of the arms embargo but also, effectively, to the United Nations Charter, the principles of the London Conference and even the Contact Group peace plan. The European Union proposes, in particular

> "balanced treatment for the Bosniac Croat and Bosnian Serb entities, including the establishment of parallel special relationships with neighbouring countries, provided that this would not be inconsistent with the integrity of the Union of Bosnia and Herzegovina". *(Official Records of the General Assembly, Forty-ninth Session, Plenary Meetings, 50th meeting, p. 18)*

I regret to say that, whether by oversight or otherwise, that proposal is morally and legally flawed, and disregards the relevant principles — and, in fact, the United Nations Charter — for the following reasons:

First, how can we speak of a "parallel special relationship" that is designed to promote the same consequences for the aggressor and the victim?

Secondly, the proposal is especially troubling in view of the fact that the war — the aggression — was started by the Serbian-Montenegrans in conjunction with the so-called Bosnian Serbs in order, in fact, to achieve

the very goal of an ethnically homogeneous "greater Serbia" at the expense of its neighbours. This aspect of the European Union plan proposes now, in effect, the creation of this "greater Serbia" as part of the settlement of this war.

Thirdly, there is not and cannot be any parallel between the Bosniac and Croat Federation on the one hand and the so-called Bosnian Serb entity on the other. The Bosniac and Croat Federation and the proposed closer relationship between the Republic and Federation of Bosnia and Herzegovina and the Republic of Croatia is born out of a desire to reintensify the support for multiculturalism and coexistence in the Republic of Bosnia and Herzegovina for all, including Croats, Serbs, Jews, Muslims and others, while a "greater Serbia", to the contrary, promotes ethnic "purity" at the expense of multiculturalism. Unfortunately, this aspect of the European Union proposal, unintentionally or not, can only give new hope and vigour to those who seek the creation of unprecedented and ethnically "pure" States.

Finally, and most unfortunately, this aspect of the European Union statement reflects a lack of consciousness with respect to the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina. The sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina are not mentioned, while the statement says

> "provided that this would not be inconsistent with the integrity of the Union of Bosnia and Herzegovina". (*ibid.*)

There is no Union of Bosnia and Herzegovina. The Union of Bosnia and Herzegovina may be a concept promoted by some — maybe even by some members of the European Union — as a weaker substitute for the Republic, designed to induce the Serbians to accept the peace plan. However, the Union of Bosnia and Herzegovina cannot now become a substitute for the Republic of Bosnia and Herzegovina or a mechanism to substitute for, and effectively undermine, the sovereignty, territorial integrity and legitimacy of the Republic of Bosnia and Herzegovina. Any proposed settlement must respect the sovereignty, territorial integrity and legitimacy of the Republic of Bosnia and Herzegovina first, and cannot circumvent these principles by emphasizing a proposed union. Maybe some members of the European Union had a different reading in mind when this statement was drafted, but we cannot afford to be either casual or lacking in vigilance.

Unfortunately, the statement also reflected the erosion of the Contact Group peace plan from some sectors within, owing to a lack of commitment and will to confront those who oppose the Contact Group peace plan from without — that is, the Bosnian Serbs. I am afraid that this also reflects once again a growing tendency towards expediency. It is also more evidence of why the choice for all of us here was not purely the issue of lifting the arms embargo: it was a choice between the marginalization and even abandonment of international law and the United Nations Charter in favour of expediency, versus demanding options to soundly support our common principles.

No one can afford to be neutral, to abstain, on this communal route of legality. The future of the United Nations as a whole cannot lie in selective application of legality. It must be based on the united and objective commitment to shared principles, in particular to the United Nations Charter.

In response to the comments of the representative of the Russian Federation, we would like once again to emphasize unequivocally our acceptance of the Contact Group peace plan and our commitment to exercising our right to self-defence. However, we cannot be expected to abandon our right to self-defence and to acquiesce in the continuing rejection of the peace plan by the so-called Bosnian Serbs. Simply, when the Serbians are ready to accept and implement the Contact Group peace plan, give up occupation of most of our country and stop the "ethnic cleansing" and sieges of our cities, then we will also be prepared to restrain our right to acquire defensive weapons.

The President: The Assembly has thus concluded the present stage of its consideration of agenda item 39.

The meeting rose at 7.30 p.m.